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United States Department of Agriculture

FEDERAL HORTICULTURAL BOARD

C. L. Marlatt, *Chairman;* W. A. Orton, Geo. B. Sudworth, W. D. Hunter, Karl F. Kellerman; R. C. Althouse, *Assistant to the Chairman.*

SERVICE AND REGULATORY ANNOUNCEMENTS

April–June, 1924

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QUARANTINE AND OTHER OFFICIAL ANNOUNCEMENTS

PINK BOLLWORM QUARANTINE (DOMESTIC)

NUMBER OF PERMITS ISSUED UNDER FEDERAL QUARANTINES 46 AND 52 AND STATE QUARANTINES SUPPLEMENTAL THERETO CLASSIFIED BY COMMODITIES[1]

Commodity	1920 (5 months)	1921 (12 months)	1922 (12 months)	1923 (2 months)	1923 (10 months)	1924 (2 months)	Total
Hay	1	30	4,243	825	2,087		7,186
Lint	21,280	11,975	3,540	469	316	64	37,644
Samples	399	959	1,679	289	1,798	468	5,592
Cottonseed		155	652	64	397	60	1,328
Cottonseed products	425	83	343	61	601	189	1,702
Linters	14	33	111	56	42	4	260
Household goods	27	28	75	10	89	10	239
Miscellaneous	7	6	58	22	39	1	133
Total	22,153	13,269	10,701	1,796	5,369	796	54,084

[1] Prior to Sept. 1, 1921, one permit was issued for each bale of cotton. After that date one permit was issued for each lot until July 1, 1922. No permits have been required since July 1, 1922, for shipment of lint or linters to designated ports nor for shipment of hay.

RECORD OF ALL PERMITS ISSUED UNDER FEDERAL QUARANTINES 46 AND 52 AND STATE QUARANTINES, AUGUST 1, 1920–FEBRUARY 29, 1924

	Federal agents			State agents	Grand total
	Federal permits	State permits	Total		
1920 (5 months)	1,574	4,941	6,515	15,638	22,153
1921 (12 months)	3,651	5,010	8,661	4,608	13,269
1922 (12 months)	5,211	4,441	9,652	1,049	10,701
1923 (2 months)	1,152	574	1,726	70	1,796
1923 (10 months)	3,284	2,032	5,316	53	5,369
1924 (2 months)	471	310	781	15	796
Total	15,343	17,308	32,651	21,433	54,084

PINK BOLLWORM QUARANTINE ORDER (FOREIGN)

MODIFICATION OF COTTON REGULATIONS

AMENDMENT NO. 1 OF RULES AND REGULATIONS GOVERNING THE IMPORTATION OF COTTON AND COTTON WRAPPINGS INTO THE UNITED STATES

[Effective on and after May 1, 1924]

Under authority conferred by the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), it is ordered that regulation 6 of the Rules and Regulations Governing the Importation of Cotton and Cotton Wrappings into the United States, as revised February 24, 1923, be, and the same is hereby, further amended to read as follows:

Regulation 6.—Disinfection a Condition of Entry

Imported cotton must be disinfected, as a condition of entry, to the satisfaction and under the supervision of the inspector. Such cotton may be delivered to the permittee for such disinfection within the limits of the port of entry, upon the filing with the collector of customs of a bond in the amount of $5,000,

or in an amount equal to the invoice value of the cotton if such value be less than $5,000, with approved sureties conditioned upon such disinfection and upon the redelivery of the cotton to the collector of customs within 40 days from arrival of the same at the port of entry. The cotton shall not be moved from the limits of the port of entry nor shall any bale or other container thereof be broken or opened for sampling until so authorized by an inspector: *Provided*, That cotton which has been so manufactured as to have eliminated all seed, including cotton known as card strips and thread waste and other cotton which can be determined as having been so manufactured or which has been so processed by bleaching or dyeing as to have destroyed all insect life, will be inspected on arrival at the port of entry and, if found to comply as to grade with the requirements of this proviso and with the marking conditions required in regulation 4, will be released from further restriction under these regulations.

Upon completion of disinfection of imported cotton in compliance with this regulation, such cotton shall be marked under the supervision of an inspector indicating such disinfection and may thereafter be distributed, forwarded, or shipped without restriction under these regulations. Cotton held by a permittee for disinfection under the 40-day provision of this regulation must be stored under conditions approved by an inspector.

This amendment shall be effective on and after May 1, 1924.

Done at the city of Washington this 30th day of April, 1924.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] HENRY C. WALLACE,
Secretary of Agriculture.

SIMPLIFY COTTON WRAPPING REGULATIONS

[Press notice]

MAY 9, 1924.

The Federal Horticultural Board announces a modification, in the interest of the importers, of the regulations governing the importation of cotton and cotton wrappings into the United States issued under the authority of the order of the Secretary of Agriculture of April 27, 1915, bringing the admission of foreign cotton lint under restriction to guard against the entry with such cotton of the pink bollworm and other injurious insects. Under these regulations certain classes of cotton and cotton products which had been so manufactured as to have eliminated all seed or which had been so processed as to have destroyed all insect life were made subject to disinfection, if covered with wrappings previously used to cover foreign cottons, due to the possibility of cotton and cottonseed adhering to such wrappings. After several years' experience in the enforcement of these regulations, the board believes the requirement of disinfection on account of wrappings to be unnecessary, and this requirement is now withdrawn. Any possible risk, it is said, can be safeguarded in the course of the inspection as a condition of entry given by the agents of the board of the wrappings of all such materials.

GIPSY MOTH AND BROWN-TAIL MOTH QUARANTINE

RESTRICTIONS ON MOVEMENT OF NURSERY STOCK DURING LARVAL PERIOD OF GIPSY MOTH

[See also HB–174 and HB–179]

HB–182.
(Supplementing HB–174 and HB–179.) MAY 3, 1924.

Certain officers and members of the New England Nurserymen's Association have brought to the notice of the Federal Horticultural Board that the final paragraph of HB–174 will prevent a considerable portion of the spring and early summer sale and movement, particularly of coniferous stock. This paragraph reads:

Following the informal recommendation of the conference, certification for interstate shipment of conifers will not be made during the active larval period of the gipsy moth; namely, from the latter part of April to July, subject to

adjustment for differences in seasons and in location, as determined by the Federal inspector.

In lieu of this prohibition, for the period indicated, it was urged that the adoption of measures, substantially as indicated below, would give what was believed would be adequate safeguards. It was further suggested that these substituted safeguards should apply to all stock—evergreen or deciduous—shipped out of the quarantined area during the larval period of the gipsy moth. These substitute safeguards were also urged or approved by various State quarantine officials, to whom they were submitted by the New England Nurserymen's Association.

After full consideration the Federal Horticultural Board felt that it was justified in adopting such substitution, conditioned on its specific approval by the responsible officers of the New England Nurserymen's Association. Such approval by this association was later obtained from F. S. Baker, president; Richard M. Wyman, vice president and chairman of the legislative committee; Theodore F. Borst, secretary; and Harlan P. Kelsey, member of the board.

The Federal Horticultural Board felt that the adoption of these substituted safeguards would give adequate protection, and also that their application to nursery stock, other than conifers, would be of much value during the larval period.

The following conditions will therefore hereafter be enforced in substitution for the final paragraph of HB–174, but it is understood that, except as to such final paragraph, there shall be full enforcement of the requirements of HB–174, as supplemented by HB–179.

Substituted Conditions

(1) That during the larval period of the gipsy moth all nursery stock shall be assembled for the examination of the Federal inspector, and if passed by him as free from any infestation, either by egg masses or wind-blown larvæ, it shall then be lined up and thoroughly sprayed under the direction of, and in manner and method satisfactory to, the said inspector, with arsenate of lead or other approved insecticide.

(2) That the plants shall go out certified by the Federal inspector as having been thus inspected and treated.

C. L. Marlatt,
Chairman, Federal Horticultural Board.

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF EXTENDING THE QUARANTINE ON ACCOUNT OF THE GIPSY MOTH TO THE STATES OF NEW YORK AND NEW JERSEY

Washington, D. C., *May 21, 1924.*

The Secretary of Agriculture has information that the gipsy moth (*Porthetria dispar* Linn.), on account of which the New England States have been quarantined for a number of years, is now known to occur also in the States of New York and New Jersey.

It appears necessary, therefore, to consider the advisability of extending the quarantine now in force on account of this insect and to quarantine the States of New York and New Jersey in accordance with the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), and of restricting the movement from these States or from any infested districts determined therein into other States and Territories of (1) coniferous trees, such as spruce, fir, hemlock, pine, juniper (cedar), and arbor vitæ (white cedar), known and described as "Christmas trees," and parts thereof, and decorative plants, such as holly and laurel, known and described as "Christmas greens or greenery"; (2) forest-plant products, including logs, tanbark, posts, poles, car stakes, railroad ties, cordwood, and lumber; (3) field-grown florists' stock, trees, shrubs, vines, cuttings, and other plants and plant products, excepting fruit pits, seeds of fruit and ornamental trees and shrubs, field, vegetable, and flower seeds, bedding plants, and other herbaceous plants and roots; and (4) stone or quarry products.

Notice is, therefore, hereby given that a public hearing will be held at the United States Department of Agriculture, Washington, D. C., Room 11, Federal Horticultural Board, at 10 a. m., May 28, 1924, in order that any person interested in the proposed extension of this quarantine may appear and be heard either in person or by attorney.

TO CONSIDER EXTENDING GIPSY-MOTH QUARANTINE

[Press notice]

MAY 21, 1924.

A public hearing to consider the advisability of extending the gipsy-moth quarantine to the States of New York and New Jersey will be held by the Federal Horticultural Board of the United States Department of Agriculture at its offices here May 28. Any person interested in the proposed action may appear and be heard either in person or by attorney.

For a number of years the New England States have been under a Federal quarantine on account of the gipsy moth, which is a very destructive insect enemy of ornamental and forest trees, flowers, and shrubs. All products likely to carry the pest to other places outside the infested areas can be moved only under strict regulations. The moth has been present in New Jersey for several years, but a quarantine by the State enforced in cooperation with the United States Department of Agriculture has effectively kept the insect in check. Now the moth has made its appearance in New York at several places just across the New England border.

In connection with the hearing, it is proposed to consider also any necessary extensions or modifications of the existing quarantine on account of the brown-tail moth, another New England pest.

QUARANTINE ON ACCOUNT OF GIPSY MOTH AND BROWN-TAIL MOTH

NOTICE OF QUARANTINE No. 45

[Effective on and after July 1, 1920. Supersedes Notice of Quarantine No. 33, revised]

The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that two injurious insects—the gipsy moth (*Porthetria dispar*) and the brown-tail moth (*Euproctis chrysorrhœa*)—not heretofore widely distributed within and throughout the United States, exist in parts of the following States, to wit: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.

Now, therefore, I, C. F. Marvin, Acting Secretary of Agriculture, under the authority conferred by section 8 of the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), do hereby quarantine the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, and by this Notice of Quarantine No. 45 do order that (1) coniferous trees, such as spruce, fir, hemlock, pine, juniper (cedar), and arbor-vitæ (white cedar), known and described as "Christmas trees," and parts thereof, and decorative plants, such as holly and laurel, known and described as "Christmas greens or greenery"; (2) forest-plant products, including logs, tanbark, posts, poles, car stakes, railroad ties, cordwood, and lumber; (3) field-grown florists' stock, trees, shrubs, vines, cuttings, and other plants and plant products, excepting fruit pits, seeds of fruit and ornamental trees and shrubs, field vegetable and flower seeds, bedding plants, and other herbaceous plants and roots; and (4) stone or quarry products, shall not be moved or allowed to move interstate from any of said States in manner or method or under conditions other than those prescribed in the rules and regulations supplemental hereto.

Done in the District of Columbia this 28th day of May, 1920.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.] C. F. MARVIN,
Acting Secretary of Agriculture.

REVISED RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE No. 45.

(Effective July 1, 1924)

Regulation 1.—Definitions

For the purpose of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(*a*) Gipsy moth: The insect known as the gipsy moth (*Porthetria dispar*).

(*b*) Brown-tail moth: The insect known as the brown-tail moth (*Euproctis chrysorrhœa*).

(*c*) Quarantined area: Any State, or any portion thereof, quarantined by the Secretary of Agriculture upon determination by him that either the gipsy moth or the brown-tail moth, or both, exist therein.

(*d*) Infested area: Those portions of any quarantined area which are designated by the Secretary of Agriculture to be infested with either the gipsy moth or the brown-tail moth or both.

(*e*) Inspector: An inspector of the United States Department of Agriculture.

Regulation 2.—Plants and Plant Products and Stone or Quarry Products Subject to Restriction

The restriction on the movement of plants and plant products and stone or quarry products covered in this Notice of Quarantine No. 45 and in the rules and regulations supplemental thereto shall apply to all products enumerated in the notice of quarantine originating in or moving from the areas in the quarantined States now, or which may hereafter be, designated by the Secretary of Agriculture as infested areas.

No restrictions are placed by this quarantine and the regulations supplemental thereto on the interstate movement of the articles enumerated therein from all points in the quarantined States outside of the areas now, or which may hereafter be designated by the Secretary of Agriculture as infested areas.

Regulation 3.—Infested Areas

The following towns and all the territory between said towns and the Atlantic Ocean are designated as gipsy-moth-infested area:

Harrington, Columbia, 18, 24, Beddington, 22, 28, 34, 40, 39, Grand Falls Plantation, Summit, Greenbush, Argyle, Alton, Bradford, Charleston, Atkinson, Dover, Foxcroft, Guilford, Abbot, Kingsbury Plantation, Mayfield, Moscow, Pleasant Ridge Plantation, Highland, Jerusalem, Crockertown, Redington, Dallas Plantation, Sandy River Plantation, Rangeley Plantation, 4 Range 1, and Magalloway Plantation, *Maine;* Errol, Millsfield, Ervings Location, and Columbia, *New Hampshire;* Lemington, Canaan, Norton, Holland, Derby, Newport, Troy, Jay, Richford, Berkshire, Franklin, Highgate, Alburgh, Isle La Motte, North Hero, Grand Isle, South Hero, Colchester, Burlington, South Burlington, Shelburne, Charlotte, Ferrisburg, Paton, Addison, Bridport, Shoreham, Orwell, Benson, West Haven, Fair Haven, Poultney, Wells, Pawlet, Rupert, Sandgate, Arlington, Shaftsbury, Bennington, and Pownal, *Vermont*; Williamstown, Hancock, Richmond, West Stockbridge, Alford, Egremont, and Mount Washington, *Massachusetts;* Salisbury, Canaan, Cornwall, Litchfield, Thomaston, Plymouth, Waterbury, Cheshire, Wallingford, North Haven, North Branford, and Branford, *Connecticut;* New Shoreham, *Rhode Island.*

For the purpose of inspection and transportation the above-designated towns and territory quarantined for the gipsy moth are divided into two areas to be known as the *lightly infested* area and the *generally infested* area.

The following towns comprise the *lightly infested* area:

Millbridge, Harrington, Columbia, 18, 24, Beddington, 22, Plantation No. 21, 28, 34, 40, 39, Grand Falls Plantation, Summit, Argyle, Alton, Sangerville, Guilford, Parkman, Cambridge, Ripley, Harmony, Wellington, Kingsbury Plantation, Abbot, Mayfield, Moscow, Concord, Pleasant Ridge Plantation, Highland, Lexington, Kingfield, Jerusalem, Crockertown, Mount Abraham, Redington, Sandy River Plantation, Dallas Plantation, Rangeley Plantation, D, E, Berlin, Roxbury, Byron, Andover North Surplus, Andover West Surplus, C, 4 Range 1, Magalloway Plantation, Upton, Grafton, Riley, Steuben, Gouldsborough, Winter Harbor, Sullivan, Sorrento, Hancock, Lamoine, Eden, Mount Desert, Southwest Harbor, Tremont, Swans Island, Trenton, Isle au Haut, Stonington, Deer Isle, Brooklyn, Sedgwick, Bluehill, Surry, City of Ellsworth, Mariaville, Waltham, VIII, East Brook, Franklin, 9, 10, Unionville, Cherryfield, Deblois, 16, Amherst, Aurora, Plantation No. 33, Plantation No. 32, Greenfield, Greenbush, Milford, Bradley, Eddington, Clifton, Otis, Dedham, Holden, City of Brewer, Orono, Veazie, City of Oldtown, City of Bangor, Orrington, Bucksport, Orland, Penobscot, Castine, Brookville, North Haven, Vinal Haven, Islesboro, Searsport, Stockton Springs, Prospect, Frankfort, Winterport, Newburgh, Hampden, Hermon, Carmel, Levant, Kenduskeag, Glenburn, Hudson, Corinth, Charleston, Bradford, Atkinson, Dover, Foxcroft, Garland, Dexter, Corinna, Exeter, Stetson, Newport, Plymouth, Etna, Dixmont, Jackson, Mon-

roe, Brooks, Swanville, Waldo, City of Belfast, Northport, Lincolnville, Camden, Hope, Appleton, Searsmont, Liberty, Belmont, Morrill, Montville, Palermo, Freedom, Knox, Thorndike, Unity, Albion, Burnham, Troy, Detroit, Palmyra, Pittsfield, Hartland, St. Albans, Athens, Brighton, Bingham, Solon, Cornville, Madison, Norridgewock, Skowhegan, Canaan, Clinton, Fairfield, Smithfield, Oakland, Waterville, Benton, Winslow, Vassalborough, China, Somerville, Washington, Windsor, Sidney, Manchester, Monmouth, Winthrop, Readfield, Wayne, Fayette, Mount Vernon, Belgrade, Rome, Vienna, Chesterville, New Sharon, Mercer, Stark, Industry, Anson, New Vineyard, Embden, New Portland, Freeman, Strong, Salem, Madrid, Phillips, Avon, Temple, Farmington, Wilton, Jay, Livermore, East Livermore, Leeds, Greene, Turner, Hebron, Oxford, Paris, Buckfield, Hartford, Sumner, Canton, Peru, Franklin, Dixfield, Mexico, Carthage, Perkins, IV, Weld, Andover, Rumford, Newry, Bethel, Milton, Woodstock, Greenwood, Albany, Norway, Otisfield, Harrison, Waterford, Sweden, Lovell, Stow, Stoneham, Mason, Fryeburg Academy Grant, Batchelders Grant, and Gilead, *Maine;* Success, Cambridge, Errol, Milsfield, Odell, Ervings Location, Columbia, Chatham, Bean's Purchase, Shelburne, Gorham, Berlin, Milan, Dummer, Stratford, Northumberland, Stark, Kilkenny, Randolph, Low and Burbank's Purchase, Sargent's Purchase, Jackson, Bartlett Co., Hart's Location, Cutt's Grant, Livermore, Lincoln, Franconia, Bethlehem, Carroll, Jefferson, Lancaster, Whitefield, Dalton, Littleton, Monroe, Lyman, Lisbon, Bath, Landaff, and Easton, *New Hampshire;* Lemington, Canaan, Averill, Norton, Avery's Gore, Warren Gore, Warner's Grant, Lewis, Brunswick, Maidstone, Ferdinand, Brighton, East Haven, Victory, Kirby, Burke, Newark, Charleston, Morgan, Holland, Derby, Brownington, Westmore, Sutton, Sheffield, Barton, Glover, Irasburg, Coventry, Coventry Gore, Newport, Albany, Greensboro, Stannard, Walden, Cabot, Woodbury, Hardwick, Elmore, Wolcott, Craftsbury, Lowell, Troy, Westfield, Jay, Richford, Montgomery, Eden, Hyde Park, Morristown, Johnson, Belvidere, Berkshire, Enosburg, Bakersfield, Avery's Gore, Fletcher, Waterville, Cambridge, Underhill, Bolton, Waterbury, Duxbury, Huntington, Waitsfield, Fayston, Buels Gore, Granville, Braintree, Hancock, Rochester, Bethel, Pittsfield, Chittenden, Pittsford, Proctor, Rutland, Mendon, Sherburne, West Rutland, Ira, Clarendon, Mount Tabor, Winhall, Stratton, Somerset, Pownal, Bennington, Woodford, Glastenbury, Shaftsbury, Arlington, Sunderland, Manchester, Sandgate, Rupert, Dorset, Danby, Pawlet, Wells, Middletown Spring, Poultney, Castleton, Fair Haven, West Haven, Benson, Hubbardton, Brandon, Sudbury, Orwell, Shoreham, Whiting, Leicester, Goshen, Salisbury, Cornwall, Bridport, Middlebury, Ripton, Lincoln, Bristol, New Haven, Waltham, Weybridge, Addison, Panton, Ferrisburg, Vergennes, Monkton, Starksboro, Hinesburg, Charlotte, Shelburne, St. George, Richmond, Jericho, Williston, South Burlington, Burlington, Colchester, Essex, Westford, Milton, Fairfax, Georgia, St. Albans, Fairfield, Sheldon, Swanton, Highgate, Franklin, Alburgh, Isle la Motte, North Hero, Grand Isle, South Hero, Bloomfield, Guild Hall, Granby, Lunenburg, Concord, Waterford, St. Johnsbury, Lyndon, Wheelock, Danville, Barnet, Peacham, Marshfield, Calais, Worcester, Stowe, Middlesex, Montpelier, East Montpelier, Plainfield, Groton, Ryegate, Newbury, Topsham, Orange, Barre, Berlin, Moretown, Northfield, Warren, Roxbury, Brookfield, Williamstown, Washington, Corinth, Bradford, Fairlee, West Fairlee, Vershire, Chelsea, Randolph, Tunbridge, Strafford, Thetford, Norwich, Sharon, Royalton, Stockbridge, Barnard, Pomfret, Hartford, Bridgewater, Woodstock, Hartland, Windsor, West Windsor, Reading, Plymouth, Shrewsbury, Tinmouth, Wallingford, Mount Holly, Ludlow, Cavendish, Weathersfield, Baltimore, Springfield, Chester, Andover, Weston, Peru, Landgrove, Londonderry, Windham, Grafton, Rockingham, Westminster, Athens, Townshend, Brookline, Putney, Jamaica, Wardsboro, Dover, Newfane, Dummerston, Brattleboro, Marlboro, Wilmington, Searsburg, Stamford, Readsboro, Whitingham, Halifax, Vernon, and Guilford, *Vermont;* Williamstown, Clarksburg, North Adams, Adams, Florida, Monroe, Rowe, Heath, Charlemont, Buckland, Hawley, Savoy, Cheshire, New Ashford, Lanesborough, Hancock, Pittsfield, Dalton, Windsor, Hinsdale, Peru, Worthington, Cummington, Plainfield, Ashfield, Goshen, Chesterfield, Williamsburg, Conway, Westhampton, Southampton, Montgomery, Huntington, Russell, Blanford, Chester, Middlefield, Becket, Otis, Washington, Tyringham, Monterey, Lee, Lenox, Richmond, Stockbridge, West Stockbridge, Great Barrington, Alford, Egremont, Mount Washington, Sheffield, New Marlborough, Sandisfield, Tolland, and Granville, *Massachusetts;* Cornwall, North Haven, Branford, North Branford, Guilford, Madison, Durham, Haddam, Killingworth, Clinton, Westbrook, Essex, Gaybrook,

Chester, East Haddam, Lyme, Suffield, East Granby, Granby, Hartland, Colebrook, Norfolk, Northwest Canaan, Salisbury, Canaan, Goshen, Winchester, Torrington, Barkhamsted, New Hartford, Canton, Simsbury, Bloomfield, Windsor Locks, Windsor, Hartford, West Hartford, Avon, Burlington, Harwinton, Litchfield, Thomaston, Plymouth, Bristol, Plainville, New Britain, Newington, Wethersfield, Rocky Hill, Cromwell, Berlin, Southington, Wolcott, Waterbury, Cheshire, Meriden, Wallingford, Middlefield, Middleton, Glastonbury, Portland, Chatham, Old Saybrook, Old Lyme, East Lyme, Salem, Colchester, Marlboro, Hebron, Andover, Columbia, Lebanon, Franklin, Bozrah, Montville, Waterford, New London, Groton, Ledyard, Preston, Norwich, Sprague, Lisbon, Griswold, Voluntown, North Stonington, and Stonington, *Connecticut;* New Shoreham, *Rhode Island.*

All other towns shall be classed as the *generally infested* area.

The following towns and all the territory between said towns and the Atlantic Ocean are designated as brown-tail moth infested area:

Tremont, Southwest Harbor, Mount Desert, Eden, Swans Island, Brooklin, Bluehill, Trenton, Surry, Orland, Bucksport, Winterport, Hampden, City of Bangor, Hermon, Carmel, Etna, Plymouth, Troy, Burnham, Pittsfield, Canaan, Skowhegan, Norridgewock, Stark, Industry, Farmington, Wilton, Dixfield, Peru, Rumford, Bethel, Mason, Stoneham, Stow, Fryeburg, Brownfield, and Porter, *Maine;* Freedom, Tamworth, Sandwich, Holderness, Plymouth, Rumney, Groton, Alexandria, Danbury, Wilmot, New London, Newbury, Bradford, Henniker, Deering, Antrim, Hancock, Peterboro, Jeffrey, and Rindge, *New Hampshire;* Winchendon, Gardner, Westminster, Princeton, Holden, Paxton, Worcester, Milbury, Sutton, Douglas, Uxbridge, Blackstone, Bellingham, Wrentham, Plainville, North Attleboro, Attleboro, Seekonk, Swansea, Somerset, Fall River, and Westport, *Massachusetts.*

Regulation 4.—Regulation of Movement of Plants and Plant Products and Stone or Quarry Products Under Quarantine Originating in Infested Areas

(1) Coniferous trees, such as spruce, fir, hemlock, pine, juniper (cedar), and arbor vitæ (white cedar), known and described as "Christmas trees," and parts thereof, and decorative plants, such as holly and laurel, known and described as "Christmas greens or greenery"; (2) forest-plant products, including logs, tanbark, posts, poles, car stakes, railroad ties, cordwood, and lumber; (3) field-grown florists' stock, trees, shrubs, vines, cuttings, and other plants and plant products, excepting fruit pits, seeds of fruit and ornamental trees and shrubs, field, vegetable, and flower seeds, bedding plants, and other herbaceous plants and roots; and (4) stone or quarry products, shall not be moved or allowed to move interstate to any point outside the infested area quarantined for the gipsy moth or the brown-tail moth or interstate from points in the *generally infested* area to points in the *lightly infested* area unless and until such plants and plant products and stone or quarry products have been inspected by the United States Department of Agriculture and certified to be free from the gipsy moth and the brown-tail moth: *Provided,* That "Christmas trees" and parts thereof, and decorative plants, such as holly and laurel, known and described as "Christmas greens or greenery," shall not be moved or allowed to move interstate from the *generally infested* area to any point outside thereof: *Provided further,* That such plants and plant products and stone or quarry products may be moved interstate without restrictions other than the requirements made by regulation 8 hereof, between all points within the *lightly infested* area, between points in said *lightly infested* area and points in the *generally infested* area, and between all points within the *generally infested* area, subject to such restrictions as may be approved by State officials.

Regulation 5.—Inspection, Certification, and Marking

Every car, box, bale, or other container of plants and plant products and stone or quarry products of which inspection is required by these regulations shall be plainly marked with the name and address of the consignor and the name and address of the consignee and shall bear a certificate showing that the contents have been inspected by the United States Department of Agriculture and found to be free from gipsy-moth and brown-tail-moth infestation.

The inspection certificates in the case of carload and other bulk shipments shall accompany the waybills, conductors' manifests, memoranda, or bills of lading pertaining to such shipments.

Certificates of inspection will issue only for plants and plant products and stone or quarry products which have been actually inspected by the United States Department of Agriculture, and the use of such certificates in connection with plants and plant products and stone or quarry products which have not been so inspected is unlawful.

Regulation 6.—Conditions Under Which Plants and Plant Products and Stone or Quarry Products Originating Outside of the Infested Areas May be Shipped from Points Within the Infested Areas

Plants and plant products and stone or quarry products, of which the interstate movement is restricted by these regulations, which originate outside of the infested areas quarantined for the gipsy moth or the brown-tail moth, may be shipped interstate from points within the infested areas to points outside the infested areas under permit from the Secretary of Agriculture. Permits will issue only for plants and plant products and stone or quarry products which are not infested with the gipsy moth or brown-tail moth, and transportation companies shall not accept or move interstate from within the infested areas such plants and plant products and stone or quarry products originating outside the infested areas unless each shipment is accompanied by a permit issued by the United States Department of Agriculture, 408 Atlantic Avenue, Boston, Mass.

Regulation 7.—Conditions Governing Inspection and Issuance of Permits

Persons intending to move or allow to be moved interstate plants and plant products and stone or quarry products for which certificates of inspection or permits are required by these regulations will make application therefor as far as possible in advance of the probable date of shipment. Applications should show the nature and quantity of the plants or plant products and stone or quarry products it is proposed to move, together with their exact location and, if practicable, the contemplated date of shipment. Applicants for inspection will be required to assemble the articles to be inspected at the shipping point and so to place them that they can be readily examined. If not so placed, inspection will be refused. Articles to be inspected must be free from ice and snow and in condition to make inspection easily practicable: *Provided*, That, in lieu of inspection, disinfection by heat or other means under the supervision and to the satisfaction of the inspector of the United States Department of Agriculture may be authorized by the Federal Horticultural Board as a condition of certification for movement.

With respect to field-grown nursery and florist stock, Federal inspection and the issuance of Federal certificates authorizing the interstate movement of nursery products shall be conditioned on the presentation of a valid State certificate stating that the nursery in question has been inspected by a State nursery inspector and certifying that it is apparently free from infestation with gipsy and brown-tail moths. Such State certification shall be renewed each year, shall be based on an inspection made as promptly as practicable after the egg-laying period of the gipsy moth, and shall be valid for the purpose of Federal certification until the following egg-hatching period, except that, pending reinspection, shipments may be inspected and certified for interstate movement on the basis of the State certification of the preceding year: *Provided*, That whenever any nursery or independent unit thereof in the infested area, or shipment therefrom, is reported by a State inspector to be appreciably infested with either the gipsy moth or the brown-tail moth, or whenever such infestation is determined by a Federal inspector on his examination of material offered for shipment, further certification for interstate movement from such nursery or independent unit thereof will be refused until such nursery has been freed from infestation and has been again inspected and certified by the State to be apparently clean:[1] *Provided further*, That during the larval period of the gipsy moth all nursery stock shall be assembled for the examination of the Federal inspector, and if passed by him as free from any infestation, either by egg masses or wind-blown larvæ, it shall then be lined up and thoroughly sprayed under the direction of, and in manner and method satisfactory to, the said inspector, who shall certify each shipment as having been thus inspected and treated.

[1] See HB–179.

With respect to quarries and with respect to yards or other places where forest products are assembled for shipment, as a condition of inspection and certification the premises or surroundings of such places shall be cleaned up and kept free from gipsy-moth infestation.

All charges for storage, cartage, and labor incident to inspection or disinfection other than the services of the inspectors shall be paid by the shipper.

Regulation 8.—Thorough Cleaning Required of Cars, Boats, and Other Vehicles Before Moving Interstate

Cars, boats, and other vehicles which have been used in transporting within the infested areas under the provisions of regulation 4, which provide for such movement without inspection and certification plants and plant products and stone or quarry products covered by these regulations, or any other article which may hereafter be made subject thereto, shall not be moved or allowed to move interstate unless the same shall have been thoroughly swept out and cleaned by the carrier at the point of unloading or destination of all litter and rubbish from such regulated articles. No litter, rubbish, or refuse from any such plants and plant products and stone or quarry products or other article shall be moved or allowed to move interstate.

The above rules and regulations are hereby adopted and shall be effective on and after July 1, 1924, and shall supersede, on and after said date, the rules and regulations issued under Notice of Quarantine No. 45, promulgated May 28, 1920, effective on and after July 1, 1920, as amended.

Done at the city of Washington this 12th day of June, 1924.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.] HENRY C. WALLACE,
Secretary of Agriculture.

Penalties

The plant quarantine act of August 20, 1912 (37 Stat. 315), provides that any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture, shall be deemed guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding $500 or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court.

FEDERAL QUARANTINE AREA ON ACCOUNT OF GIPSY AND BROWN-TAIL MOTHS WIDENED IN NEW ENGLAND

[Press notice]

JUNE 17, 1924.

A revision of the Federal quarantine area in New England on account of the gipsy moth and brown-tail moth, effective July 1, is announced by the Federal Horticultural Board of the United States Department of Agriculture. This revision is an annual matter to bring under control the additional areas reached by these pests during the last season and to incorporate such changes as are deemed necessary in the restriction on movement of possible carrying products. The spread of the gipsy moth in northwestern and western Vermont makes it necessary to include, in what is designated as the lightly infested area, all of the remaining portion of that State. The quarantine line already extends to the western border of Massachusetts. In western and southern Connecticut it is necessary to include some additional towns in the lightly infested area. The only change in the brown-tail moth area is the inclusion of the towns on Mount Desert Island, Me.

The change made in the restrictions on the interstate movement of possible carrying products from the quarantine areas in New England are the incorporation of certain additional requirements relating to inspection and certification of nursery stock, and the restriction on the interstate movement of Christmas trees and greens to such products originating in the areas designated as lightly infested. These additional requirements were agreed upon at a conference conducted in Boston last August, attended by officials of a good many States, including those of New England, and by the nursery and other interests in the New England States concerned in the quarantine,

somewhat added to and modified by supplemental conferences held in Washington.

As the main feature in the future effort to prevent the further spread westward of the gipsy moth, it has been determined to establish and maintain a barrier zone some 25 miles in width along the present western border of spread; i. e., between New England and New York. Within and beyond this zone an effort will be made to thoroughly clean up and eradicate any sporadic infestations or colonies. This plan resulted from an interstate conference which was held in Albany November 16, 1922. Such control plan is now deemed feasible inasmuch as in the westward movement of this pest it has now reached a region where the natural barriers and the character of the country give reasonable hope of keeping such zone free from permanent infestation. The few points of infestation which were found last season in New York just beyond the New England border have been thoroughly cleaned up and it is believed eradicated, and for that reason the quarantine will not be extended at this time to the State of New York. The urgency for the adoption of the barrier zone plan at this time is that should the gipsy moth get beyond this border strip into the Adirondack and Catskill regions of New York, its control in these districts would be extremely difficult, if not impossible, and its more or less rapid spread westward could probably not be prevented.

INSTRUCTIONS TO POSTMASTERS RE EXTENSION OF GIPSY MOTH AND BROWN-TAIL MOTH QUARANTINE

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, June 30, 1924.

Postmaster: Inclosed for your information and guidance, under the provisions of section 478, P. L. and R., is a copy of revised Quarantine Order No. 45, with regulations issued by the Secretary of Agriculture, effective July 1, 1924, quarantining the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut for the gipsy moth and brown-tail moth.

It will be noted that (1) coniferous trees, such as spruce, fir, hemlock, pine, juniper (cedar), and arbor vitæ (white cedar), known and described as "Christmas trees," and parts thereof, and decorative plants, such as holly and laurel, known and described as "Christmas greens or greenery"; (2) forest-plant products, including logs, tanbark, posts, poles, car stakes, railroad ties, cordwood and lumber; (3) field-grown florists' stock, trees, shrubs, vines, cuttings, and other plants and plant products, excepting fruit pits, seeds of fruit and ornamental trees and shrubs, field, vegetable, and flower seeds, bedding plants, and other herbaceous plants and roots; and (4) stone or quarry products, the movement of which is restricted by the quarantine order above referred to, may be accepted for mailing only under the conditions prescribed in the revised rules and regulations supplemental to that order.

Such of these articles as are required by the quarantine order to be inspected by the Department of Agriculture may be accepted for mailing only when accompanied with a certificate of a representative of that department to the effect that they have been inspected and found free from the gipsy or brown-tail moth, or both, as the case may be.

These instructions supersede those contained in the circular letter of this office dated July 25, 1920.

Sincerely yours,

W. IRVING GLOVER,
Third Assistant Postmaster General.

QUARANTINE ON ACCOUNT OF JAPANESE BEETLE

INTRODUCTORY NOTE

It has become necessary to again revise the quarantine on account of the Japanese beetle (No. 48) and the regulations supplemental thereto.

As now revised, the State of Delaware is included in the general quarantined area, thus adding this State to the States of Pennsylvania and New Jersey, previously quarantined on account of this beetle. The proviso in the quarantine makes it possible to limit the restrictions under the rules and regulations

to the areas in these States which may be designated by the Secretary of Agriculture as infested by the Japanese beetle or immediately threatened with such infestation. Such limitation of restrictions, however, is conditioned under the quarantine upon the establishment and enforcement by the States concerned of such control measures with respect to the designated infested or immediately threatened areas as in the judgment of the Secretary of Agriculture shall be deemed adequate to effect the control and prevent the spread of the Japanese beetle. The extension of the quarantine to the State of Delaware has been rendered necessary by the spread of the Japanese beetle to the border of that State, so that the safety zone which is maintained beyond the area known to be actually invaded must now include one township in that State. The quarantine has been further amended to include in the series of products hitherto designated as "soil, compost, and manure" also "sand, earth, and peat." Other minor verbal changes have been made.

With respect to the regulations the important changes involve, under regulation 1, some rewording of the definitions, including the substitution of "regulated area" for the old designation "Japanese beetle area." The expression "regulated area" is also used throughout the regulations in place of the expression "Japanese beetle area." Regulation 2, designating the regulated area, has no additions other than the inclusion of the Township of Brandywine, New Castle County, Del. Regulations 4, 5, and 6 have been entirely revised. They indicate the control requirements of movement of farm products, nursery, and ornamental stock, and sand, soil, earth, peat, compost, and manure, which are now authorized. Regulations 3, 7, 8 and 9 have not been changed. Appendix A indicates the details of control of the movement of nursery and ornamental stock and of sand, soil, earth, peat, compost, and manure, provided for under more general terms in regulations 5 and 6.

This quarantine is enforced by officers of the Bureau of Entomology in cooperation with the Federal Horticultural Board.

C. L. Marlatt,
Chairman Federal Horticultural Board.

NOTICE OF QUARANTINE No. 48, WITH REGULATIONS (3d REVISION)

[Effective on and after April 9, 1924. Supersedes No. 48, revised]

Under authority conferred by the plant quarantine act of August 20, 1912, (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), having determined that a quarantine of the States of New Jersey, Pennsylvania, and Delaware is necessary to prevent the further spread of a dangerous insect known as the Japanese beetle (*Popillia japonica* Newm.) new to and not heretofore widely prevalent or distributed within and throughout the United States, I, Henry C. Wallace, Secretary of Agriculture do hereby quarantine the said States of New Jersey, Pennsylvania, and Delaware, effective as to the areas in these States now, or which may hereafter be, designated by the Secretary of Agriculture as infested or immediately threatened with such infestation by the Japanese beetle, and by this Notice of Quarantine No. 48 (revised) do order that (1) farm, garden, and orchard products of all kinds; (2) grain and forage crops of all kinds; (3) nursery, ornamental, and greenhouse stock, and all other plants; and (4) sand, soil, earth, peat, compost, and manure shall not be moved or allowed to be moved interstate from any of said States in manner or method or under conditions other than those prescribed in the rules and regulations supplemental hereto: *Provided*, That the limitation of the restrictions of this quarantine and the rules and regulations supplemental thereto to the areas in a quarantined State now, or which may hereafter be, designated by the Secretary of Agriculture as infested by the Japanese beetle, or immediately threatened with such infestation, shall be conditioned upon the establishment and enforcement by the State of such control measures in cooperation with the United States Department of Agriculture with respect to the designated infested or immediately threatened areas as in the judgment of the Secretary of Agriculture shall be deemed adequate to effect the control and prevent the spread of the Japanese beetle.

Done at the city of Washington this 9th day of April, 1924.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.]

Henry C. Wallace,
Secretary of Agriculture.

REVISED RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE No. 48 (3d REVISION)

[Effective on and after April 9, 1924, and superseding the regulations heretofore issued under the Japanese beetle quarantine]

Regulation 1.—Definitions

For the purpose of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(1) *Japanese beetle:* The insect known as the Japanese beetle (*Popillia japonica* Newm.)

(2) *Quarantined area:* Any State quarantined by the Secretary of Agriculture to prevent the spread of the Japanese beetle.

(3) *Regulated area:* Those portions of any State quarantined on account of the Japanese beetle, which are designated by the Secretary of Agriculture as infested or immediately threatened with such infestation and including, in addition to the area which has been determined to be actually infested, an area adjacent thereto to serve as a safety zone.

(4) *Farm products:* Farm, garden, and orchard products of all kinds, and grain and forage crops of all kinds.

(5) *Nursery and ornamental stock:* Nursery, ornamental, and greenhouse stock and all other plants and plant roots.

(6) *Sand, soil, earth, peat, compost, and manure:* Sand, soil, earth, peat, compost, and manure of any kind and as to either bulk movement or in connection with farm products or nursery and ornamental stock.

(7) *Inspector:* An inspector of the United States Department of Agriculture.

Regulation 2.—Regulated Area

The townships or other political subdivisions in New Jersey, Pennsylvania, and Delaware enumerated below are included in and form the outer boundary of the regulated areas in these States:

NEW JERSEY: Townships of Ewing, Lawrence, West Windsor, and Washington, in *Mercer County;* township of Upper Freehold, in *Monmouth County;* townships of Jackson and Manchester, in *Ocean County;* township of Woodland, in *Burlington County;* township of Union and Barnegat City, in *Ocean County*, thence southward, including all territory adjacent to or bordering on the Atlantic Ocean, to Ocean City, in *Cape May County;* townships of Somers Point, Egg Harbor, Weymouth, and Beuna Vista, in *Atlantic County;* township of Franklin, in *Gloucester County;* townships of Pittsgrove, Upper Pittsgrove, Alloway, Quinton, and Lower Alloway's Creek, in *Salem County.*

PENNSYLVANIA: Townships of Lower Chichester, Upper Chichester, Aston, and Thornbury, in *Delaware County;* townships of Thornbury, Westtown, West Goshen, East Goshen, Willistown, Tredyffrin, and the city of West Chester, in *Chester County;* townships of Upper Merion, Lower Providence, Worcester, Towamencin, Hatfield, and Montgomery, in *Montgomery County;* townships of Warrington, Doylestown, Buckingham, and Solebury, in *Bucks County.*

DELAWARE: The township of Brandywine, in *New Castle County.*

All the townships or other political subdivisions in New Jersey and Pennsylvania, including the township of Brandywine in Delaware, between these bordering townships or other political subdivisions and the Delaware River are included in the regulated area.

Regulation 3.—Extension or Reduction of Regulated Area

The area designated in Regulation 2 may be extended or reduced as found necessary by the Secretary of Agriculture. Due notice of any extension or reduction and the areas affected thereby will be given in writing to the transportation companies doing business in or through the States in which these areas are located and by publication in newspapers selected by the Secretary of Agriculture within the States in which the areas affected are located.

Regulation 4.—Regulation of Movement of Farm Products

Control of movement within the regulated area.—No restrictions are placed on the interstate movement of farm products *within* the regulated area, except that any such movement, when determined by the inspector of the United

States Department of Agriculture to be fraught with exceptional or unusual risk of the spread of the Japanese beetle, shall be subject to such control measures as may be necessary to prevent such risk.

As a condition of certification by the United States Department of Agriculture of farm products for interstate shipment from the regulated area to points *outside* of such area, all movements of such articles within the regulated area in any State, shall be subject to such control by State regulations and restrictions as will, to the satisfaction of the Department of Agriculture, prevent exceptional or unusual risk of the spread of the Japanese beetle.

Direct shipments from point of production.—The interstate movement of the farm products enumerated below, originating in the regulated area, is prohibited between June 15 and October 15, inclusive, except as to direct shipment from the point where grown or from the local packing house to the point of destination outside of the regulated area, and in compliance with conditions set forth in Regulations 7, 8, and 9, following. No restrictions are placed on the interstate movement of the products enumerated between October 16 and June 14, inclusive. These products are as follows:

Greens, such as spinach, kale, etc.	Grapes.
Peas and beans in the pod.	Cherries.
Tomatoes.	Out-door grown flowers.
Lettuce.	Unthreshed grains.
Cabbage.	Straw.
Green or sweet corn.	Forage crops.
Vegetables with tops, such as carrots, beets, parsnips, etc.	

Shipments from Philadelphia.—The interstate movement of the products enumerated below, consigned from produce markets, freight yards, steamship docks, or other points where farm produce is concentrated within the city of Philadelphia to points outside of the regulated area is prohibited between June 15 and October 15, inclusive:

Greens, such as spinach, kale, etc.	Okra.
Peas and beans in the pod.	Cabbage.
Tomatoes.	Berries and small fruits, including raspberries, currants, etc.
Cauliflower.	
Green or sweet corn.	Cherries.
Celery.	Grapes.
Lettuce.	Apples.
Vegetables with tops, including carrots, beets, etc.	Peaches.
	Plums.
Eggplants.	Pears.
Cantaloupes.	Pineapples.
Potatoes.	Citrus fruits.

Provided, That any of the farm products enumerated, originating outside of the regulated area, may be reconsigned, at the freight yards or docks in Philadelphia, for direct interstate shipment therefrom, to points outside of the regulated area when each package or container is marked with the name and address of the grower and when conditions have been complied with which may be determined by the inspector of the United States Department of Agriculture to be necessary to safeguard such interstate shipment and a certificate for such shipment has been secured from such inspector: *Provided further*, That cherries, apples, grapes, plums, peaches, and pears originating outside of the regulated area may be reshipped from any point in Philadelphia when conditions have been complied with which may have been determined by the inspector of the United States Department of Agriculture to be necessary to safeguard such interstate movement and a certificate for such shipment shall have been secured from such inspector. Except as herein modified, the requirements of Regulations 7, 8, and 9 shall apply to such shipments: *Provided further*, That pineapples, potatoes, okra, cabbage, eggplants, and cantaloupes may be shipped interstate from any point in Philadelphia upon full compliance with Regulations 7, 8, and 9.

No restrictions are placed on the interstate movement of farm products originating in the regulated area other than those enumerated in the foregoing paragraphs of this regulation.

Regulation 5.—Regulation of Movement of Nursery and Ornamental Stock

As a condition of certification by the Department of Agriculture of nursery or ornamental stock for interstate shipment from the regulated area to points outside of such area, all movement of the said articles within such area in any State shall be controlled by State regulations and restrictions which shall be satisfactory to the Secretary of Agriculture. (See Appendix A.)

Similarly, all *interstate* movement of nursery stock *within* the regulated area shall be subject to the details of regulation and control indicated in Appendix A.

Regulation 6.—Sand, Soil, Earth, Peat, Compost, and Manure

As a condition of certification by the Department of Agriculture of sand, soil, earth, peat, compost, or manure for interstate shipment from the regulated area to points outside of such area, all movements of the said articles within such area in any State shall be controlled by State regulations and restrictions which shall be satisfactory to the Secretary of Agriculture. (See Appendix A.)

Similarly, all *interstate* movement of sand, soil, earth, peat, compost, or manure *within* the regulated area shall be subject to the details of regulation and control indicated in Appendix A.

Regulation 7.—Inspection, Certification, and Marking a Condition of Interstate Transportation

Each car, vehicle, box, basket, or other container of any of the articles, the interstate movement of which is restricted in Regulations 4, 5, and 6, shall be plainly marked with the name and address of the consignor and the name and address of the consignee, and shall bear a certificate stating that the contents have been inspected by the United States Department of Agriculture and found to be free from the Japanese beetle: *Provided*, That in the case of such article moved in carload or other bulk shipments the certificate of inspection shall accompany the waybills, conductors' manifests, memoranda, or bills of lading, or in case of truck or other road vehicle, the certificate of inspection shall accompany the vehicle.

Regulation 8.—Conditions Governing Inspection and Issuance of Certificates

Persons intending to move or allow to be moved interstate any of the articles the movement of which is restricted in Regulations 4, 5, and 6 shall make application for inspection as far as possible in advance of the probable date of shipment, specifying in the application the article and quantity to be shipped, method of shipment, name and address of consignor, and name and address of consignee.

Applicants for inspection will be required to assemble the articles at such points as the inspector of the Department of Agriculture shall designate, and so to place them that the inspection may readily be made. All charges for storage, cartage, and labor incident to inspection other than the services of the inspectors shall be paid by the shipper.

In the case of any of the articles enumerated where absolute freedom from infestation can not be determined by the inspector of the United States Department of Agriculture, certification will be refused.

Regulation 9.—Thorough Cleaning Required of Trucks, Wagons, Boats, and Other Vehicles Before Moving Interstate

Trucks, wagons, boats, and other vehicles which have been used in transporting any article covered by this quarantine within the regulated area shall not be moved or allowed to be moved interstate unless the same shall have been thoroughly swept and cleaned before they are employed in interstate transportation.

These rules and regulations, effective April 9, 1924, supersede the rules and regulations promulgated November 27, 1923, and shall be in force until further notice.

Done at the city of Washington this 9th day of April, 1924.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] HENRY C. WALLACE,
Secretary of Agriculture.

STATE QUARANTINES

The States of New Jersey, Pennsylvania, and Delaware have promulgated quarantines restricting intrastate movement supplemental to the Federal quarantine. These State quarantines are enforced in cooperation with the Federal authorities. Copies of either the Federal or State quarantine orders may be obtained by addressing:

Japanese Beetle Laboratory,
Riverton, N. J.
Bell Telephone—Riverton 505

PENALTIES

The plant quarantine act of August 20, 1912 (37 Stat. 315), provides that any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding $500 or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court.

APPENDIX A[2]

CONDITIONS OF CERTIFICATION AND MOVEMENT FROM NURSERIES OF FIRST, SECOND, AND THIRD CLASSES AS DESIGNATED IN HB–178

Definition of Nursery Classes in Regulated Area

CLASS 1. Nurseries so far as can be determined entirely free from invasion by either adult beetles or by larvæ in soil. Nurseries of this class are those in or near the border safety zone of the regulated area where after thorough inspecton neither beetles nor grubs have been found.

CLASS. 2. Nurseries in or near which a single adult beetle has been found, but in or near which no soil invasion has been determined. Nurseries of this class are usually either in or near the border safety zone.

CLASS 3. Nurseries in the main central portion of the area in which both beetles and grubs in soil occur.

It should be noted that nurseries of Classes 1 and 2 are kept under close observation in connection with the general Japanese beetle survey and that any findings which would require a reclassification of these nurseries into Classes 2 or 3 are promptly acted upon.

Certification Requirements for Each Class of Nurseries

Nurseries of Class 1, for all practical purposes under the Japanese beetle quarantine, are considered as though outside of the regulated area, and, to maintain their status of freedom from infestation as long as possible, no movement of nursery stock is permitted to nurseries of Class 1 from nurseries of Classes 2 and 3 except on full compliance with the requirements of inspection and certification necessary for interstate or other shipments to points entirely outside of the regulated area. Conversely, nurseries of Class 1 must agree as a condition of continuation in this class that they will limit their purchases from nurseries of Classes 2 and 3 to stock which has been inspected and certified by an inspector of the United States Department of Agriculture as free from infestation.

The only distinction in the restrictions as to shipments from nurseries of Classes 2 and 3, either to points entirely outside of the regulated area or to nurseries of Class 1, is the provision for shipments from nurseries of Class 2 of plants with soil under the conditions specified in HB–178. No shipments with soil are permitted by nurseries of the third class except as indicated in HB–178, in the cases of certain classes of plants where it is possible to treat the soil under methods which have been determined as being 100 per cent effective in killing the grubs.

The requirement of reporting all sales of nursery and ornamental stock throughout the area, irrespective of the nursery classification indicated in

[2] Originally issued March 3, 1924, as HB–180. (See also HB–178.)

HB–178, is to furnish additional information as a check on the movement of quarantined articles which might ultimately be shipped out.

The conditions governing the certification of nursery and ornamental stock are indicated below:

Shipping List Requirements

In the future all nurserymen, florists, or dealers who make or expect to make shipments of quarantined articles to points outside of the regulated area will be required to make the reports specified below both as to sales to points outside of the area and as to sales within the area. Failure to submit such reports will lead to refusal of certification of shipments to points outside of the area.

Blank shipping lists will be supplied upon request. These lists should be filled out to give the kinds of plants and numbers of each kind, the name and address of the party to whom the shipment is made, the date of shipment, and should be signed by the shipper. All the information requested in this notice should be sent to the following address:

(1) *Shipments to points outside of the regulated area.*—All shipments, large or small, made to points outside of the regulated area *must* be reported by Monday of each week.

(2) *Shipments by the dealers within the area.*—(*a*) All sales of nursery stock and ornamental stock, etc., sand, soil, earth, peat, compost, or manure *to* other dealers within the regulated area must be reported by the *vendor* at once, irrespective of whether such stock, etc., is shipped by the said *vendor* or is removed by the purchaser.

(*b*) All purchases of nursery and ornamental stock, etc., sand, soil, earth, peat, compost, or manure *from* other growers or dealers within the regulated area must be immediately reported by the purchaser.

Conditions Governing the Certification of Nursery, Ornamental, and Greenhouse Stock and all Other Plants and Plant Roots to be Moved Out of the Quarantined Area

1. Certificates of inspection are required on all nursery, ornamental, and greenhouse stock and all other plants and plant roots moved (shipped or carried) out of the regulated area in accordance with the requirements of the Rules and Regulations Supplemental to Notice of Quarantine No. 48, and amendments thereto.

Smooth, single bulbs, such as tulip, hyacinth, gladiolus, narcissus, and lily bulbs, do not require certificates as a condition of shipment. Certificates *are required*, however, for bulbs in clumps, roots of dahlias, cannas, and the like.

2. Certification will be made only when the plants enumerated in paragraph 1 can be determined by an inspector of the United States Department of Agriculture to be free from the Japanese beetle in any of its stages.

3. Misuse or transfer of certificates will result in the refusal of further certification to the grower or shipper concerned.

4. It should be understood that certification is not necessary and certificates need not be requested for parcels of seeds, bulbs, etc., for which inspection and certification is not required under the Japanese beetle quarantine. Such parcels, however, should be plainly marked, indicating their contents. For example, "This package contains seeds only," or "This package contains smooth, single bulbs only."

Conditions Governing the Certification of Greenhouse Stock, etc.

1. All persons receiving shipments of greenhouse stock and other plants, sand, soil, earth, peat, compost, and manure from other growers and dealers within the regulated area shall immediately report the receipt of same to:
for approval before such plants, sand, soil, earth, peat, compost, or manure are placed in certified houses or frames.

2. In view of the fact that the adult Japanese beetles are actively flying between June 15 and October 1, as a condition of certification, all ventilators, doors, and all other openings in greenhouses or frames located in the areas included in nursery Classes 2 and 3 must be kept tightly screened during that period to the satisfaction of the inspector of the United States Department of Agriculture. Negligence in this respect will result in the refusal of certificates to cover stock grown or handled in the greenhouses or cold frames in question.

3. All sand, soil, earth, peat, compost, manure, or other materials likely to contain larvæ of the Japanese beetle must be sterilized under the direction of an inspector of the United States Department of Agriculture before it is taken into certified greenhouses or cold frames. To prevent further infestation, such sterilized sand, soil, earth, peat, compost, or manure must be immediately stored in a tightly closed building or box and so kept as long as it is used for repotting, etc.

4. No plants or plant roots shall be brought from the field into certified houses within areas included in nursery Classes 2 and 3 for potting or other purposes until they have been approved by an inspector of the United States Department of Agriculture as free from soil. This includes stock plants, seedlings, and roots from the premises of the owner or from those of another grower.

5. The use of certificates issued for greenhouse-grown plants on field-grown and perennial plants and roots is prohibited. Perennial and field-grown plants may be inspected and certified by an inspector of the United States Department of Agriculture at the time of lifting.

6. Except for the provisions elsewhere made, the removal of all soil from plants for shipment must be performed by the persons, firms, corporations, etc., offering the material for shipment. Sandy soil may be removed from most types of roots by shaking, but this method is not always satisfactory for roots which are massed, and it is therefore frequently necessary to remove soil from such roots by washing. Certificates for such shipments will be stamped: "To be used only for plants absolutely free of all soil."

7. Under conditions prescribed by the inspector of the United States Department of Agriculture, potted plants may be grown in outside frames during the summer season, the sides of the frames being screened with a wire screening or cheesecloth, with a glass sash over the top raised approximately 18 inches to allow circulation of air.

SUPPLEMENTAL INSTRUCTIONS

The following supplemental instructions are taken from HB–178, issued February 18, 1924, and are made a part of this Appendix.

NURSERY STOCK WITH SOIL

With respect to nurseries of the *second class*, nursery stock with soil may be certified at the discretion of the chief inspector for shipment outside of the regulated area under the following safeguards:

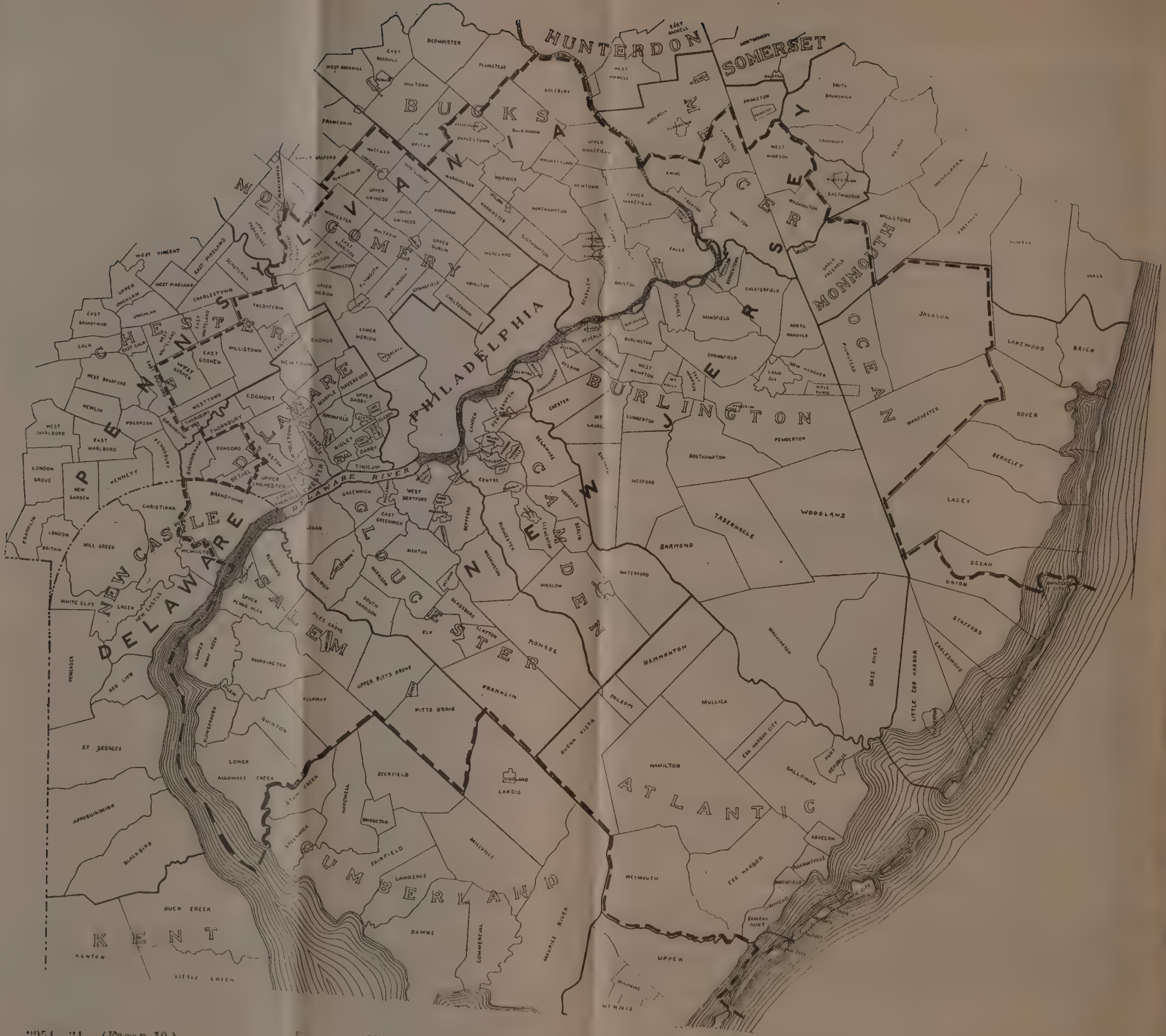
(1) As a basis for determining their grub-free status, careful and frequent diggings are made throughout the nursery blocks, and if any grubs are found the nursery in question is immediately placed in the *third class*, and further certification of shipments with soil from such nursery is refused.

(2) As an additional safeguard with respect to nurseries of the *second class*, all nursery stock shipped with soil is inspected at the time of digging, such inspection involving careful examination of the soil removed, as well as of the hole which is made in the digging of the plant. In addition to such examination 2 or 3 inches of surface soil are removed from about the plant for the reason that during September and October and April and May, representing the two chief shipping periods for evergreens and other balled plants, any grubs if present would during these months be most likely to occur near the surface.

With respect to nurseries of the *third class*, no nursery stock, etc., is allowed to be shipped out of the regulated area with soil except in the case of certain classes of plants where it is possible to treat the soil under methods later referred to which have been determined as being 100 per cent effective in killing the grubs.

NURSERY STOCK WITHOUT SOIL

Under this heading is included deciduous stock which can be and is usually shipped without soil and such evergreen stock as can be shipped without soil. All such stock from which the soil has been entirely removed by shaking or washing so that the roots are clean and can be inspected is permitted to be shipped under inspection and certification from any part of the regulated area. In the case of plants grown in light, sandy soil, it is usually unnecessary to wash the roots, but in no case is any plant certified for shipment to points out-



2954—24. (Face p. 19.)

Map showing area under regulation on account of the Japanese beetle.

side of the infested area which is of such a nature that it can not be properly inspected to insure its being free from any grubs.

OUTDOOR-GROWN ORNAMENTALS AND PLANT ROOTS

Included under this heading are such plants as iris, phlox, peonies, hydrangeas, ivies, honeysuckles, and similar outdoor-grown plants which are normally shipped without soil. Such plants and plant roots are permitted to be shipped outside of the regulated area provided all soil can be removed from the roots by either shaking or washing and proper inspection made to insure freedom from infestation. In some cases, however, it has been found that a satisfactory inspection can not be made, even after the plants have been washed, and certification is refused as to such plants except where it is practicable to treat the roots with carbon disulphid or wormseed oil emulsion, which destroys the grubs, and permits certification for shipment. This paragraph applies to nurseries, etc., coming under the second and third classes as discussed above.

GREENHOUSE STOCK

To qualify for certification and shipment outside the regulated area, all greenhouses falling within the second and third classes, as above, must meet the following requirements:

(1) All doors, windows, and ventilators must be screened in a manner satisfactory to the inspector of the Department of Agriculture.

(2) All stock must be grown in grub-free soil—the soil being either treated with carbon disulphid or steam, or else obtained from outside of the regulated area. Such sterilized or imported soil must be stored in tight houses where it can not become infested during the summer.

(3) If plants so potted are kept in beds in the open after the beetle season, a fine mesh screen must be placed in the bottom of each pot to prevent even the remote chance of grubs entering through the drainage hole, and in addition the beds on which these pots are placed must be poisoned with arsenate of lead at the rate of 1,500 pounds to the acre well worked in—a treatment which has proved to be a very efficient means of killing grubs in the soil.

INFORMATION REQUIRED OF SHIPPERS OF NURSERY, GREENHOUSE STOCK, AND OTHER PLANTS

Lists of all shipments made to points outside of the regulated area are required from shippers of nursery, greenhouse stock, and plants of all kinds. These lists give information as to the quantities and types of stock being shipped and the name and address of the party to whom the same is sent. Such lists are surrendered weekly by the various firms and individuals making shipments. In addition to this, lists are required of all transactions within the area between dealers in the various kinds of stock, thereby giving an additional check on the movement of quarantined articles which might ultimately be shipped out.

INSPECTION SERVICE

The main office for quarantine work is maintained at the Japanese beetle laboratory at Riverton, N. J., and in addition to this there are three subsidiary offices, two in Pennsylvania and one in New Jersey, maintained at points convenient to the nursery and greenhouse industry. A plant quarantine inspector is in charge of each of these offices, and a force of inspectors is maintained to carry on the work in that locality as the needs may require at the various seasons of the year.

JAPANESE BEETLE QUARANTINE REVISED

[Press notice]

April 14, 1924.

The Federal quarantine on account of the Japanese beetle, heretofore effective in Pennsylvania and New Jersey, has been extended to include Delaware, the Federal Horticultural Board, United States Department of Agriculture, announced to-day in a revision of the quarantine, which goes into force immediately.

This step was made necessary, it was said, by the spread of the beetle to the border of Delaware. The safety zone maintained beyond the area known

to be actually invaded, therefore, had to be pushed across the line to take in the township of Brandywine, New Castle County. The quarantine was further amended to include in the series of products hitherto designated as "soil, compost, and manure," also "sand, earth, and peat." In addition to farm products, nursery, and ornamental stock, these now become subject to the regulations of the quarantine, which control their movement.

Other minor verbal changes were also made.

INSTRUCTIONS TO POSTMASTERS RE JAPANESE BEETLE QUARANTINE

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, May 12, 1924.

Postmaster.

MY DEAR SIR: There is inclosed for your information and guidance a copy of revised Notice of Quarantine No. 48, with revised rules and regulations supplemental thereto (3d revision) of the United States Department of Agriculture, effective April 9, 1924, on account of the Japanese beetle, the purpose of which is set forth in the accompanying announcement.

Your special attention is invited to regulation 7, from which it will be seen that each parcel or container of any of the articles, the movement of which is restricted by the order, shall bear the prescribed certificate of inspection.

This supersedes all regulations heretofore issued under the Japanese beetle quarantine.

Sincerely yours,

W. IRVING GLOVER,
Third Assistant Postmaster General.

EUROPEAN CORN BORER QUARANTINE (DOMESTIC)

INTRODUCTORY NOTE

It has become necessary to again revise the quarantine on account of the European corn borer (No. 43). This revision replaces the second revision of the quarantine on account of the European corn borer and the five amendments thereto for the purpose of including the new territory representing the peripheral increase of spread of this pest in the several States in which it occurs; also the amendment to the quarantine itself, for the purpose of including the States of Maine and Rhode Island. It seems desirable at this time, therefore, to reissue the quarantine and regulations as a whole, so as to incorporate these several amendments in one document. The present revision adds the State of Vermont, for the purpose of including two infested townships in that State, and incorporates additional territory now determined as infested in the States of Maine, Massachusetts, and Ohio.

The only other change in the quarantine and regulations in this third revision is the elimination of spinach from the articles enumerated as brought under regulation. This elimination is recommended by the experts of the Bureau of Entomology, for the reason that spinach is mostly shipped north and east from Boston and practically none of it is shipped south and west, and its elimination will do away with what is believed to be unnecessary inspection.

C. L. MARLATT,
Chairman Federal Horticultural Board.

QUARANTINE ON ACCOUNT OF EUROPEAN CORN BORER. NOTICE OF QUARANTINE NO. 43 (3D REVISION)

[Effective on and after May 1, 1924. Amends and supersedes Quarantine No. 43, 2d Revision, as amended]

The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that an injurious insect, the European corn borer (*Pyrausta nubilalis* Hubn.), new to and not heretofore widely prevalent or distributed within and throughout the United States, exists in the States of Massachusetts, New Hampshire, Maine, Vermont, Rhode Island, New York, Pennsylvania, Ohio, and Michigan.

Now, therefore, I, Henry C. Wallace, Secretary of Agriculture, under authority conferred by section 8 of the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), do hereby quarantine the States of Massachusetts, New Hampshire, Maine, Vermont, Rhode Island, New York, Pennsylvania, Ohio, and Michigan, and by this Notice of Quarantine No. 43 (3d revision) do order that the following articles shall not be moved or allowed to be moved interstate from any areas in said quarantined States designated, in the regulations supplemental hereto, as the areas infested with the corn borer, in manner or method or under conditions other than those prescribed in the rules and regulations hereinafter made and amendments thereto: *Provided*, That the limitation of the restrictions of this quarantine, as provided in the rules and regulations supplemental hereto, to the areas in a quarantined State now, or which may hereafter be, designated by the Secretary of Agriculture as infested by the European corn borer, shall be conditioned upon the establishment and enforcement by the State of such control measures in cooperation with the United States Department of Agriculture with respect to the designated infested areas as in the judgment of the Secretary of Agriculture shall be deemed adequate to effect the control and prevent the spread of the European corn borer.

(1) Corn and broom corn (including all parts of the stalk), all sorghums, sudan grass, celery, green beans in the pod, beets with tops, rhubarb, oat and rye straw as such or when used as packing, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof, without stems, from infested areas in Massachusetts, New Hampshire, Maine, and Rhode Island.

(2) Corn and broom corn (including all parts of the stalk), all sorghums, and sudan grass from infested areas in Vermont, New York, Pennsylvania, Ohio, and Michigan.

Done at the city of Washington this 23d day of April, 1924.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.] HENRY C. WALLACE,
Secretary of Agriculture.

RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE No. 43 (3d REVISION)

Regulation 1.—Definitions

For the purposes of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(*a*) Corn borer: The insect known as the European corn borer (*Pyrausta nubilalis* Hubn.)

(*b*) Quarantined area: Any State quarantined by the Secretary of Agriculture upon determination by him that the corn borer exists therein.

(*c*) Infested area: Those portions of any quarantined State designated by the Secretary of Agriculture as infested with the corn borer.

(*d*) Inspector: An inspector of the United States Department of Agriculture.

Regulation 2.—Plants and Plant Products Subject to Restriction

The restrictions on the movement of plants and plant products covered in this Notice of Quarantine No. 43 (3d revision) and in the rules and regulations supplemental thereto shall apply to all products enumerated in the notice of quarantine originating in or moving from the areas in the quarantined States now or hereafter designated by the Secretary of Agriculture as infested areas.

No restrictions are placed by this quarantine and the regulations supplemental thereto on the interstate movement of the articles enumerated therein from all points in the quarantined States outside of the areas now or hereafter designated by the Secretary of Agriculture as infested areas.

No restrictions are placed by this quarantine and the regulations supplemental thereto on the interstate movement of the articles enumerated in this notice of quarantine when they shall have been manufactured or processed in such manner as to eliminate risk of carriage of the corn borer, nor of clean shelled corn and clean seed of broom corn.

Regulation 3.—Infested Areas

The fact has been determined by the Secretary of Agriculture that the corn borer exists in the areas designated below in the States of Massachusetts, New Hampshire, Maine, Vermont, Rhode Island, New York, Pennsylvania, Ohio, and Michigan, and such counties, cities, and towns (or townships) in each State are designated as infested areas for the purpose of these regulations:

MASSACHUSETTS.—Counties of Barnstable, Bristol, Dukes, Essex, Middlesex, Norfolk, Plymouth, and Suffolk; and Ashburnham, Berlin, Blackstone, Bolton, Boylston, Clinton, Douglass, Fitchburg, Gardner, Grafton, Harvard, Holden, Hopedale, Hubbardston, Lancaster, Leominster, Lunenburg, Mendon, Milford, Millbury, Millville, Northboro, Northbridge, Princeton, Rutland, Shrewsbury, Southboro, Sterling, Sutton, Upton, Uxbridge, Westboro, West Boylston, Westminster, and Worcester, in *Worcester County.*

NEW HAMPSHIRE.—Counties of Belknap, Hillsboro, Merrimack, Rockingham, and Strafford; and Brookfield, Effingham, Moultonboro, Ossipee, Tuftonboro, Wakefield, and Wolfeboro, in *Carroll County;* Stoddard, in *Cheshire County;* Alexandria, Ashland, Bridgewater, Bristol, Campton, Groton, Hebron, Holderness, Orange, and Plymouth, in *Grafton County.*

MAINE.—County of York; and Baldwin, Cape Elizabeth, Cumberland, Falmouth, Gorham, Porter, Portland, Scarborough, Sebago, South Portland, Standish, Westbrook, Windham, and Yarmouth, in *Cumberland County.*

VERMONT.—Bennington and Pownal in *Bennington County.*

RHODE ISLAND.—Counties of Bristol and Newport; and East Greenwich and Warwick, in *Kent County;* Central Falls, Cranston, Cumberland, East Providence, Johnston, Lincoln, North Providence, North Smithfield, Pawtucket, Providence, Smithfield, and Woonsocket, in *Providence County;* Narragansett, North Kingston, and South Kingston, in *Washington County.*

NEW YORK (eastern).—Counties of Albany, Montgomery, Saratoga, and Schenectady; and Bleecker, Broadalbin, Caroga, Ephratah, Johnstown, Mayfield, Northampton, and Perth, in *Fulton County;* Coxsackie, Durham, Greenville, New Baltimore, and Windham, in *Greene County;* Benson, Hope, Lake Pleasant, and Wells, in *Hamilton County;* Cherry Valley, in *Otsego County;* Brunswick, East Greenbush, Grafton, Hoosick, North Greenbush, Petersburg, Pittstown, Poestenkill, Sand Lake, Schaghticoke, and Troy, in *Rensselaer County;* Carlisle, Cobleskill, Esperance, Fulton, Middleburg, Schoharie, Sharon, and Wright, in *Schoharie County;* Luzerne, in *Warren County;* Cambridge, Easton, Fort Edward, Greenwich, Hebron, Jackson, and White Creek, in *Washington County.*

NEW YORK (western).—Counties of Erie and Niagara; and Rushford, in *Allegany County;* Ashford, Conewango, Dayton, East Otto, Ellicottville, Farmersville, Franklinville, Freedom, Leon, Little Valley, Machais, Mansfield, New Albion, Napoli, Otto, Perrysburg, Persia, Salamanca, and Yorkshire, in *Cattaraugus County;* Arkwright, Carroll, Charlotte, Chautauqua, Cherry Creek, Clymer, Dunkirk, Ellery, Ellicott, Ellington, French Creek, Gerry, Hanover, Harmony, Mina, Poland, Pomfret, Portland, Ripley, Sheridan, Sherman, Stockton, Villenova, and Westfield in *Chautauqua County;* Alabama, Batavia, Darien, Oakfield, Pembroke, and Stafford, in *Genesee County;* Albion, Ridgeway, and Yates, in *Orleans County;* Arcade, Attica, Bennington, Eagle, Gainesville, Java, Middlebury, Orangeville, Perry, Sheldon, Warsaw, and Wethersfield, in *Wyoming County.*

PENNSYLVANIA.—Beaver and Spring, in *Crawford County;* Amity, Conneaut, Corry, Elk Creek, Fairview, Franklin, Girard, Greene, Greenfield, Harbor Creek, Leboeuf, McKean, Mill Creek, North East, Presque Isle Peninsula, Springfield, Summit, Venango, Washington, Waterford, and Wayne, in *Erie County.*

OHIO.—Counties of Lake and Ottawa; and Ashtabula, Austinburg, Conneaut, Denmark, Dorset, Geneva, Harpersfield, Hartsgrove, Jefferson, Kingsville, Lenox, Monroe, Morgan, New Lyme, Pierpont, Plymouth, Richmond, Saybrook, Sheffield, and Trumbull, in *Ashtabula County;* Bedford, Brecksville, Cleveland, Dover, Euclid, Independence, Mayfield, Middleburg, Newburg, Olmstead, Parma, Rockport, Royalton, Solon, Strongsville, Warrensville, and West Park, in *Cuyahoga County;* Berlin, Florence, Huron, Kelleys Island, Margaretta, Milan, Oxford, Perkins, Portland, and Vermilion, in *Erie County;* Chardon, Chester, Claridon, Hampden, Montville, and Thompson, in *Geauga County;* Norwalk, in *Huron County;* Amherst, Avon, Avon Lake, Black River, Brownhelm, Elyria, Henrietta, LaGrange, Ridgeville, Russia, and Sheffield, in *Lorain County;* Adams, Jerusalem, Oregon, Springfield, Sylvania, Toledo, and Washington, in

Lucas County; Rice, Riley, Sandusky, Townsend, Washington, Woodville, and York, in *Sandusky County;* Lake, Middleton, Perrysburg, Ross, and Troy, in *Wood County.*

MICHIGAN. Ash, Bedford, Berlin, Dundee, Erie, Exeter, Frenchtown, Ida, LaSalle, Monroe, Raisinville, and Whiteford, in *Monroe County;* Brownstown, Detroit, Ecorse, Gratiot, Greenfield, Grosse Point, Hamtramck, Huron, Monguagon, Springwells, and Taylor, in *Wayne County.*

The infested areas may be extended or reduced, as found necessary by the Secretary of Agriculture. Due notice of any extension or reduction and the areas affected thereby will be given in writing to the transportation companies doing business in or through the State in which the infested area is located, and by publication in newspapers selected by the Secretary of Agriculture within the State in which the areas affected are located.

Regulation 4.—Inspection and Certification a Condition of Movement from Infested Areas

Corn and broomcorn (including all parts of the stalk), all sorghums, and sudan grass from infested areas in Vermont, New York, Pennsylvania, Ohio, and Michigan; and corn and broomcorn (including all parts of the stalk), all sorghums, sudan grass, celery, green beans in the pod, beets with tops, rhubarb, oat and rye straw as such or when used as packing, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof, without stems, from infested areas in Massachusetts, New Hampshire, Maine, and Rhode Island, shall not be moved or allowed to move interstate to any point outside the infested areas quarantined for the corn borer unless and until such plants and plant products have been inspected by the United States Department of Agriculture and certified to be free from the corn borer. In the case of any of the articles enumerated in this regulation where absolute freedom from infestation can not be determined by the inspector of the Department of Agriculture, certification will be refused: *Provided*, That in the case of corn and broomcorn (including all parts of the stalk), all sorghums, sudan grass, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof, without stems, this quarantine and these regulations shall apply throughout the year; in the case of all other products, for the period between June 1 and December 31.

Regulation 5.—Marking and Certification a Condition of Interstate Transportation

Every car, box, bale, or other container of plants and plant products of which inspection is required by these regulations shall be plainly marked with the name and address of the consignor and the name and address of the consignee, and shall bear a certificate showing that the contents have been inspected by the United States Department of Agriculture and found to be free from corn-borer infestation.

The inspection certificates in the case of carload and other bulk shipments shall accompany the waybills, conductors' manifests, memoranda, or bills of lading pertaining to such shipments.

Certificates of inspection will issue only for plants and plant products which have been actually inspected by the United States Department of Agriculture; *Provided*, That when in the case of individual premises or districts within an infested area in any of the quarantined States it shall be determined by competent inspection that the corn borer does not infest any of the cultivated products grown in such premises or districts and that said premises or districts have been maintained in such condition of freedom from weeds or vegetable growths other than the cultivated products designated as to prevent possibility of occurrence of the corn borer through such agencies, a permit may be issued (valid until revoked) by the inspector of the Department of Agriculture stating that such premises or districts have been inspected and found free from the corn borer and free from weeds or other extraneous vegetation capable of harboring the corn borer, and authorizing the shipment from said premises or districts of any of the articles subject to this quarantine grown therein. Copies of such permits shall be attached to small packages, or in the case of bulk shipments, to waybills, conductors' manifests, memoranda, or bills of lading pertaining thereto, and may be accepted by transportation companies in lieu of certificates of inspection.

Regulation 6.—Conditions Under which Plants and Plant Products Originating Outside of the Infested Areas May be Shipped from Points Within the Infested Areas

Plants and plant products of which the interstate movement is restricted by these regulations which originate outside of the infested area quarantined for the corn borer may be shipped interstate from points within the infested areas to points outside such areas under permit from the Secretary of Agriculture. Permits will issue only for plants and plant products which are not infested with the corn borer and transportation companies shall not accept or move interstate from within the infested areas such plants and plant products originating outside the infested areas unless each shipment is accompanied by a permit issued by the United States Department of Agriculture.

Regulation 7.—Conditions Governing Inspection and Issuance of Certificates

Persons intending to move or allow to be moved interstate plants and plant products for which certificates of inspection are required by these regulations will make application therefor as far as possible in advance of the probable date of shipment. Applications should show the nature and quantity of the plants or plant products which it is proposed to move together with their exact location and, if practicable, the contemplated date of shipment. Applicants for inspection will be required to assemble the articles to be inspected and so to place them that they can be readily examined. If not so placed, inspection may be refused. All charges for storage, cartage, and labor incident to inspection other than the services of inspectors shall be paid by the shipper.

Regulation 8.—Thorough Cleaning Required of Cars, Boats, and Other Vehicles Before Moving Interstate

Cars, boats, and other vehicles which have been used in transporting within the infested areas plant products covered by these regulations or any other articles which may hereafter be made subject thereto, shall not be moved or allowed to move interstate unless the same shall have been thoroughly swept out and cleaned by the carrier at the point of unloading or destination of all litter and rubbish from such regulated articles. No litter, rubbish, or refuse from any such plants and plant products shall be moved or allowed to move interstate.

Regulation 9.—Shipments by United States Department of Agriculture

This quarantine shall not apply to the movement by the United States Department of Agriculture of the products named for experimental or scientific purposes.

This notice of quarantine, effective May 1, 1924, amends and supersedes Notice of Quarantine No. 43, 2d revision, promulgated April 7, 1923, as amended, and shall be in force until further notice.

Done at the city of Washington this 23d day of April, 1924.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] HENRY C. WALLACE,
Secretary of Agriculture.

FEDERAL CORN BORER QUARANTINE WIDENED

[Press notice]

MAY 2, 1924.

Further spread of the European corn borer in New England has brought Vermont into the list of States subject to the Federal quarantine regulations to control this dangerous crop pest. Two townships in Vermont—Bennington and Pownal, in Bennington County—have been determined by the Secretary of Agriculture as infested and are added to the quarantined area. A revision of the corn-borer quarantine has been made, to become effective May 1. Additional infested territory in Maine, Massachusetts, and Ohio is also made subject to the Federal regulations. On the recommendation of experts of the Bureau of Entomology, spinach is eliminated from the articles that are made subject to inspection and certification as a condition of shipment out of the

infested localities. Spinach has been under control only as to the general Boston quarantined area, and inasmuch as it is mostly shipped north and east from Boston and practically none of it is shipped south and west, it is held that its elimination will do away with what is believed to be unnecessary inspection.

INSTRUCTIONS TO POSTMASTERS RE EXTENSION OF EUROPEAN CORN BORER QUARANTINE

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, May 12, 1924.

Postmaster.

MY DEAR SIR: There is inclosed for your information and guidance a copy of Quarantine Order No. 43 (3d revision) of the United States Department of Agriculture, effective May 1, 1924, the purpose of which is to extend the quarantine on account of the European corn borer infestation by adding certain newly infested areas in the States of Maine, Massachusetts, Michigan, New Hampshire, New York, Ohio, Pennsylvania, Rhode Island, and Vermont.

Under the provisions of paragraph 1, section 478, Postal Laws and Regulations, the acceptance for mailing of the plants and plant products referred to in Quarantine Order No. 43 from the infested areas is subject to the restrictions of that order, and you will please be governed accordingly.

The Department of Agriculture calls attention to the fact that the following typographical errors appear in the notice of quarantine:

Page 2, under Massachusetts, 6th line, "Wesyboro" should read "Westboro"; "Westminister" should read "Westminster."

Page 3, under western New York, "Alleghany" should read "Allegany."

Under Ohio, 7th line, "Euron" should read "Huron."

Sincerely yours,

W. IRVING GLOVER,
Third Assistant Postmaster General.

FRUIT AND VEGETABLE QUARANTINE

THE FRUIT FLY MENACE TO THE UNITED STATES

APRIL 1, 1924.

Various fruit flies occurring in foreign countries are looked upon as perhaps the worst of all known pests of fruits and also of some vegetables. Fortunately, the United States has so far kept free from these pests, but they have been carried through the agencies of infested fruits and vegetables into many important fruit-producing countries of the world.

These are true flies. They insert their eggs in large numbers in fruits and in some vegetables, and the resulting maggots rapidly break down and convert the interior of such products into a putrifying mass. The most important of these is the so-called Mediterranean fruit fly, believed to be of African origin, but now widely distributed in tropical and subtropical regions. Its nearest known approach to continental North America is in the Bermudas, Brazil, and the Hawaiian Islands. There are many other such fruit flies, some score of which at least are important destructive pests in various countries. Some of these are specific enemies of certain vegetables.

The failure of these pests to become established in the United States hitherto is probably due in part to the fact that the United States has been an exporting rather than an importing country, but probably largely to good fortune. Beginning, however, with the passage of the plant quarantine act in 1912, and in particular recognition of this fruit-fly danger, the Federal Government in cooperation with the principal fruit-growing States, notably California and Florida, has been enforcing specific quarantines, notably against certain near-by countries and districts, as, for example, the domestic quarantine against Hawaiian fruits and the foreign quarantines against Mexican, West Indian, and Central American fruits.

In spite of these precautions and such port inspection of products offered for entry as has been possible it is realized that there is a rapidly growing risk of entry of fruit flies from many other countries and districts with the occasional commercial shipments of fruits and vegetables or with such materials in ships' stores or brought by passengers or ships' crews. The shortening of time of ocean transit has greatly increased the possibilities of fruit and vegetable imports into the United States. Such imports are now offered in

growing bulk from such far-away countries as South Africa and Australia, and others nearly as distant. Many of these countries are more or less infested with the Mediterranean and other fruit flies, and that the danger is a very real one has been shown by the interception from time to time of fruits and vegetables from various quarters of the earth infested with these pests.

The establishment of the Mediterranean or other of these fruit flies in the United States would be nothing less than an overwhelming disaster to the fruit and vegetable interests of this country. The fruit-producing regions of America have no counterpart anywhere in the world for amount of production and of capital invested. The imports of such products total an annual value of only a few million dollars, as against an annual crop value in the United States of the same class of products of nearly a billion dollars. The possibility of maggoty oranges, grapefruit, prunes, etc., would practically destroy the confidence of the public in these fruits, fresh or preserved, and even a small percentage of infestation would have its psychological effect on their salability and popularity.

While the very important fruit and vegetable districts of California, and of Florida and other Gulf States are especially open to invasion, the ravages of these pests might easily extend northward over much of the deciduous fruit districts of the United States. The peach and other stone fruits are favorite hosts of the Mediterranean fruit fly, which also attacks apples and pears, as well as various vegetables, including, for example, the tomato, eggplant, and pepper.

The realization of this danger from various foreign fruit flies to the American fruit and vegetable crops was the particular basis of the general fruit and vegetable quarantine which became effective November 1, 1923. Under this quarantine certain classes of fruits and vegetables known to convey a distinct risk of being a means of bringing dangerous fruit flies and other pests to this country are definitely excluded. All other fruits and vegetables are brought under regulation and entry under permit for the purpose of inspection as a condition of entry, to determine any risk or danger which may not now be known or which may later develop.

C. L. Marlatt,
Chairman Federal Horticultural Board.

Note.—It was as a result of such inspection that the Spanish or Malaga grapes, theretofore believed to be immune from attack, were found to be generally infested with the maggots of the Mediterranean fruit fly and their further entry was therefore prohibited. A fully informing statement with respect to this action was issued by the department January 18, 1924. Following the promulgation of this embargo the question has been raised whether Spanish grapes can not be admitted for consumption entry restricted to Northern States without risk. This question is discussed in a statement entitled "Can Spanish grapes be admitted for consumption in Northern States without risk?"

CAN SPANISH GRAPES BE ADMITTED FOR CONSUMPTION IN NORTHERN STATES WITHOUT RISK?

April 1, 1924.

Subsequent to the promulgation by this department of an embargo on the further entry of Spanish grapes, based upon the evidence of widespread infestation of such grapes with the Mediterranean fruit fly, probably the worst of all known fruit pests (see press notice issued January 18, 1924), importers and others in interest have represented to plant inspection officers of Northern States and to commercial bodies, fruit and produce exchanges, and dealers in such States, that these grapes if restricted to consumption use in such States could not be a means of establishing this fruit fly on account of climatic limitations, and that, therefore, such restricted use carried no danger directly to the fruit productions of such States, or indirectly to other parts of the United States. They urge that "such protective measures" can be adopted "as will eliminate all risk of the Mediterranean fruit fly being carried into any State or zone where climatic or other conditions are such as to make its propagation possible"; that "the Mediterranean fruit fly has not been established in this country notwithstanding Spanish grapes have been imported into the United States for a period of 50 years," and that such Spanish grapes can be "officially certified in writing by entomologists when shipped to be free of any pests." It seems desirable to give careful consideration to the specific reasons thus urged for a modification of the embargo.

WOULD RESTRICTION OF SPANISH GRAPES TO NORTHERN STATES ELIMINATE RISK?

The argument that the Mediterranean fruit fly would not be established through the agency of these grapes in States north of the "Mason and Dixon line," and hence that the markets of such Northern States should be opened to this fruit, ignores two important factors.

The first of these is the practical impossibility of preventing the movement south of the "Mason and Dixon" or any other line of a product coming into the country in such huge quantities even by the employment in the effort of hundreds of inspectors and the expenditure of hundreds of thousands of dollars. Commission houses, grocers, Pullman-car purchasers, private individuals, and many other avenues of distribution would have to be controlled, and experience has shown that such control involves difficulties which can not be overcome.

The second and much more important of these factors is that while the fruit fly might not be able to maintain *permanent* establishment north of the "Mason and Dixon line," there is no question but that it might easily become established in Central and Northern States and be able to maintain itself, for the first summer at least, finding during that season an agreeable climate and quantities of host fruits and vegetables in which to breed. Such establishment is entirely within the range of possibility. The thousands of maggots, on the basis of the infestation shown in the Spanish crop of 1923, which would be brought into these States could winter with perfect safety in the cork dust or elsewhere, and, in fact, such maggots have been shown by experiment to be able to stand a hibernating temperature as low as they would normally be exposed to under marketing conditions. Any such seasonal establishment would furnish opportunity for the spread of this pest to more southern districts. The entry and distribution, therefore, of hundreds of thousands of barrels of these grapes north of the "Mason and Dixon line," even if it were possible to so restrict distribution, would still leave the door wide open for the establishment of this pest and its ultimate spread southward.

THE FIFTY-YEAR ARGUMENT

The argument that because the Mediterranean fruit fly has hitherto failed to become established in the United States through the agency of such grapes gives no real basis of security; for example, plants with soil from Japan were imported into the United States for nearly 50 years without leading to the establishment in this country of the Japanese beetle, the oriental fruit worm, and the citrus canker. But all three of these pests are now so established, and two of them are causing enormous and mounting losses, and these two can never be eradicated. The third, the citrus canker, may ultimately be eradicated, but the effort to eradicate this pest, which threatened the future of our citrus crop, has so far cost upward of $15,000,000. Similarly it took nearly 300 years of cattle importations from Europe to establish the horn fly in the United States, but, in the end, through the agency of some single importation, this pest obtained foothold and now occasions heavy losses in milk and beef production throughout the United States.

We now know the risk, and it is a very large one, from Spanish grapes, and the defense that establishment has not happened up to now would be a very sorry one a few years hence should this pest in the meantime become established in this country through the agency of such grapes.

CAN RELIANCE BE PLACED ON CERTIFICATION?

As to the representation that examination by experts in the country of origin and certification of freedom from infestation by such experts should be accepted as an adequate assurance of safety, it need only be pointed out that any such certification of freedom from infestation is an impossibility unless and until the Mediterranean fruit fly has been completely eliminated from the district in which the grapes are grown. No examination by experts could be made the basis of certification of freedom from infestation as long as the district in which the grapes are grown remains more or less infested with this pest. The examinations which were made of the imported grapes of last year indicated that the berries, which upon dissection were found to contain maggots of the Mediterranean fruit fly, were commonly superior looking and apparently perfectly sound. To determine freedom from this pest, therefore, it would be

necessary not only to examine every bunch, but every berry, and even to dissect the berries—a thoroughly impracticable task. It was this determination which led to the revision of the quarantine so as to provide that grapes of the European or Vinifera type may be imported only upon presentation of evidence satisfactory to the United States Department of Agriculture that such grapes are not attacked in the country or district of origin by injurious insects, including fruit flies. Incidentally it may be noted that this action is general and applies to all countries.

THE REMEDY

It is realized with much regret that this prohibition terminates, for the present at least, the import into the United States of an important product from Spain and eliminates from domestic use in this country a winter fruit which has always had an appeal and found ready sale. The remedy, however, is for the proper Spanish authorities to take measures to entirely eradicate this pest from the Province of Almeria, in which these grapes are produced. Then, under the terms of the quarantine, on presentation of evidence satisfactory to the United States Department of Agriculture that such grapes are not attacked in the country of origin by injurious insects, including fruit flies, their importation may be resumed under permit.

VALUE OF IMPORT VERSUS VALUE OF JEOPARDIZED HOME PRODUCTION

In connection with the risk, at present at least uncontrolled, which attaches to the importation of Spanish grapes, it is significant that the total import value of these grapes has averaged less than $1,000,000 annually, as indicated in the reports issued by the Department of Commerce, and that therefore the profit to the importers possibly does not exceed $100,000 or $200,000. In contrast, the fruit and vegetable crops placed in jeopardy, based on the crop value for 1919 as given in the 1920 census, total for all fruits some $703,000,000, and for the particular vegetables which are known to be seriously attacked by fruit flies $105,000,000, giving a grand total of $808,000,000. As a further illustration, the value of the subtropical fruit production of three States—Arizona, California, and Florida—totals $114,000,000. Even if it be assumed that only half of the grand total of $808,000,000 noted above is subject to possible attack by fruit flies, there would still be placed in jeopardy an annual crop value of upward of $400,000,000!

As indicated in a circular entitled "The Fruit Fly Menace to the United States," the entrance and establishment of these important foreign pests would be nothing short of a national calamity.

C. L. Marlatt,
Chairman Federal Horticultural Board.

SPANISH GRAPES PROHIBITED ENTRY ON ACCOUNT OF FRUIT-FLY INFESTATION [3]

April 11, 1924.

As a necessary measure of protection to the fruit and vegetable crops of the United States, the prohibition of the further entry of Malaga (Almeria) grapes from Spain was announced by the Secretary of Agriculture January 18, 1924. This action was based on the recent finding that these grapes are subject to infestation by the Mediterranean fruit fly (*Ceratitis capitata*) and followed a hearing and conference with importers and others in interest, conducted by the Federal Horticultural Board at the Department of Agriculture January 4, 1924. The conditions determining the necessity for this prohibition are discussed below.

THE MALAGA GRAPE—STATUS RE FRUIT FLY AND IMPORTS

The variety of grape involved in this embargo is the hard, green grape, imported from the Province of Almeria, Spain, but which is commonly known as the "Malaga" grape. It is Spain's principal fresh-fruit export to the United States and has been coming to this country for many years to the extent of several hundred thousand barrels (or more properly, large kegs) yearly. The exporting season is a short one, practically all of the crop reaching this and

[3] A revision of the press notice of Jan. 18, 1924, published in S. R. A. No. 78, pp. 17–20.

other markets during the month of November and the first two weeks of December.

Until the past season it had been supposed that the Almeria grapes in particular, and Vinifera grapes in general, were practically immune to fruit-fly attack, and it was not until a considerable proportion of the importations of last year of Almeria grapes had been entered and disposed of that an inspector of this department discovered larvæ of a fruit fly in samples of these grapes at the port of New York. The provisional determination that the infestation was by the Mediterranean fruit fly was later fully confirmed by the rearing of adult flies in numbers from maggots taken from these grapes.

Promptly following this discovery all shipments awaiting entry were held and the importers and handlers of these grapes were called together in emergency conference (November 27) to determine what action should be taken. It was brought out at this conference that the imports would be over in two weeks and that most of the remaining shipments were already on the ocean. It was also represented that more than two-thirds of these grapes had already been imported and distributed. As a result of this conference it was determined to exclude all "lines" of grapes (i. e., the grapes of a particular owner or vineyard) which as a result of inspection were found to be infested, and to permit the entry of "lines" which seemed to be free from attack.

The understanding with respect to the balance of the crop of 1923 was strictly adhered to. Out of the 6,222 "lines" of grapes, involving a total of 198,425 barrels, which were offered for entry subsequent to the conference of November 27, on the basis of the examination of approximately 1 keg in 15, some 13,000 kegs were opened and examined. This examination resulted in finding infestation in 129 "lines," representing some 4,337 barrels of grapes, which were refused entry.

AMOUNT AND NATURE OF INFESTATION

From the standpoint of the consumer, the infestation of these grapes was very slight, so slight in fact that its detection might not have been made except for the unusual expertness and skill of the department's inspectors. On the other hand, the infestation was such as to present large opportunity for the establishment in this country of this, perhaps the worst of all fruit pests. For the most part, the grapes showed no exterior sign of attack; in fact, as a rule the infested berries were superior in appearance and would normally be eaten without suspicion by anyone. While as a rule only single berries were found infested, in one instance 29 larvæ were taken from a single bunch of grapes. The amount of infestation is perhaps roughly indicated by the records of finding of upward of 200 larvæ in the barrels examined from the 129 rejected "lines." It is to be noted, however, that this finding was based, as already indicated, on the examination of approximately 1 barrel in 15 and on a critical examination of less, on an average, than one-tenth of the grapes contained in each barrel inspected. It is reasonable to infer that the percentage of infestation would have been fairly constant throughout the rejected "lines," and, therefore, if all of the barrels included in such "lines" had been inspected we would have to multiply these findings by 15 and 10, which would indicate a possible content in such rejected "lines" of some 29,000 larvæ. The rejected "lines" represented vineyards distributed throughout the Province of Almeria, indicating a rather general occurrence of the fruit fly in that Province.

FACTS REPORTED AND FORMAL CONFERENCE CALLED

Following the emergency conference of November 27, a statement was drawn up and distributed under date of December 7, 1923, reporting fully on the findings of infestation of these grapes and suggesting, particularly for southern districts, certain protective measures, such as the burning or disinfection of the ground cork in which these grapes are packed and which might possibly contain escaped maggots in various stages of transformation. This statement also announced a formal conference for January 4, 1924, to determine future policy with respect to the entry of these grapes.

At this conference of January 4, the Spanish Embassy, the Merchants' Association of New York, and the leading interests concerned in the importation and distribution of these grapes were represented, together with experts from the Department of Agriculture and official representatives—plant quarantine guardians and others—from some nine States, and the whole subject was fully con-

sidered. The mercantile and importing interests, while urging commercial and other reasons for a continuation of the importation of these grapes and offering for consideration suggestions as to possible means of safeguarding their entry, indicated their full realization that all risks which could not be adequately safeguarded should be given full weight in reaching the decision as to whether these grapes should be admitted or excluded, and expressed emphatically their opinion that the fruit and vegetable interests of the United States should come first and have the benefit of any doubt. They stated, however, that it was important that the decision should be rendered early; i. e., before the period for contracting for the next year's crop.

NATURE OF RISK TO THE FRUIT AND VEGETABLE CROPS OF THE UNITED STATES

While it may be admitted that the risk from these grapes is in one sense minimized by their wide distribution and fairly prompt consumption, larvæ and all, the actual numbers of fruit-fly maggots which may thus be imported, as indicated, must necessarily involve the risk of emergence of many from the grapes and their transformation in the ground cork employed as packing, or in the crevices of the barrels, or otherwise on premises where such grapes are stored and handled. With respect to the actual utilization of the imports for 1923 of these grapes, it may be noted that they were in evidence in the markets—certainly so in the Washington, D. C., markets—at most fruit stands in cork dust in their original containers well into April. That there is nothing in the temperature conditions to which these maggots or later stages would ordinarily be subjected in this country which would prevent their successfully passing the winter and emerging as adult flies to attack the many fruits and vegetables which are hosts of this pest has been abundantly determined by experimental work conducted by this department and by other agencies. The temporary or seasonal establishment of this pest might, therefore, occur anywhere in the United States, and undoubtedly it could maintain itself permanently in very important fruit sections, probably extending well north into areas devoted to cultures of deciduous fruits. (See statement entitled "Can Spanish grapes be admitted for consumption in Northern States without risk?")

INADEQUACY OF INSPECTION AND DISINFECTION

The question very properly may be asked "Is it not possible to eliminate all infested fruit by inspection and selection and, if not, is there not some known practical method of disinfecting infested fruit in such manner as to fully safeguard its entry?" With respect to the first proposition, the experience gained during the past season makes it clear that, even when carried out by the most expert specialists, inspection and selection are not sufficient safeguards since sound and infested grapes may be practically identical in appearance. With respect to disinfection, protected as they are in seemingly sound fruit, it is not possible to reach and destroy fruit-fly maggots by any known means of disinfection that would not at the same time destroy the value of the fruit as a fresh product. For these reasons the prohibition of entry of any fruit or vegetable known to be more or less generally attacked by fruit flies in the country or district of origin is believed to be the only means of adequately eliminating risk.

The enormous value of the investment in fruit and vegetable production in the United States, which has no counterpart in the world, makes it imperative that the risk from these Spanish grapes, now for the first time determined, should not be further assumed.

C. L. Marlatt,
Chairman Federal Horticultural Board.

PERMITS TO IMPORT FRUIT FROM VICTORIA, AUSTRALIA, CANCELED ON ACCOUNT OF REPORTED FRUIT-FLY INVASION

According to the Fruit World of Australasia for March, 1924, the Mediterranean fruit fly (*Ceratitis capitata*) has become established in the Mildura fruit-growing areas in the extreme northwestern section of Victoria, Australia. It is reported that a determined effort is being made to eradicate the pest. During the past 20 years there have been sporadic outbreaks of this insect in Victoria, but these have all been promptly suppressed. Eighteen years ago the

fly got a footing as far south as Doncaster, but it disappeared after the first season, there being no continuous supply of fruit in which the pest could harbor. At Mildura, however, the situation is different. The climate is warmer than at Doncaster and there is practically a continuous supply of fruits and flower pods, enabling the broods to be carried on without a break.

As a result of this recent infestation, all outstanding permits to import fruit from Victoria have been suspended pending the outcome of efforts at extermination.

WHITE-PINE BLISTER RUST QUARANTINE (NO. 54)

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, April 15, 1924.

Postmaster:

Referring to the article headed "White-pine blister rust quarantine to cover entire State of Washington," on page 24 of the April, 1923, supplement to the Postal Guide, with respect to the regulations governing the mailing of five-leafed pines and currant and gooseberry plants from the State of Washington to places outside that State, your attention is invited to the accompanying poster relating to the matter.

This poster should be kept in view of clerks handling parcel-post shipments of this character, and should be available for exhibition to shippers when necessary. If additional copies are needed, they will be furnished upon request.

In order to prevent the spread of the white-pine blister rust, and particularly to protect the valuable five-needled pine forests of the far west from the white-pine blister rust, it is important that the regulations referred to be strictly observed. To this end great care must be exercised to prevent the acceptance at your office of any parcels containing plants prohibited shipment by Quarantine Order No. 54.

Sincerely yours,

W. IRVING GLOVER,
Third Assistant Postmaster General.

NOTE.—The poster referred to was drawn up for use in post offices, freight and express offices, and nursery establishments in the State of Washington, calling attention to the quarantine and the penalties for violating it, and listing the following five-needled pines as affected by the quarantine:

AMERICAN SPECIES: (1) White pine (*Pinus strobus*); (2) western white or silver pine (*P. monticola*); (3) sugar pine (*P. lambertiana*); (4) limber pine (*P. flexilis*); (5) white-bark pine (*P. albicaulis*); (6) bristle-cone pine (*P. aristata*); (7) foxtail pine (*P. balfouriana*); (8) Mexican white pine (*P. strobiformis*); (9) Ayacahuite pine (*P. ayacahuite, veitchii, bonapartea, loudoniana.*)

FOREIGN SPECIES: (10) Swiss stone pine (*P. cembra, pumila, sibirica, coronans*); (11) Himalayan or Bhotan pine (*P. excelsa, nepalensis, griffithii*); (12) Korean pine (*P. koraiensis, mandschurica*); (13) Japanese white pine (*P. parviflora, pentaphylla, morrisonicola, formosana*); (14) Chinese white pine (*P. armandi, scipioniformis, mastersiana*); (15) Balkan pine (*P. peuce*).

NURSERY STOCK, PLANT AND SEED QUARANTINE

AMENDMENT NO. 1 OF REVISED RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 37

[Effective on and after July 1, 1924]

Under authority conferred by the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), it is ordered that regulation 15 of the Revised Rules and Regulations Supplemental to Notice of Quarantine No. 37, governing the importation of nursery stock, plants, and seeds into the United States, which became effective April 5, 1923, be, and the same is hereby, amended to read as follows:

Regulation 15.—Permits for the Importation of Nursery Stock and Other Plants and Seeds From Countries Contiguous to the United States

When it is deemed by the Secretary of Agriculture that the importation from countries contiguous to the United States of any class or classes of nursery stock and other plants and seeds the entry of which is not provided for under regulations 2 and 3 will not be attended by serious risk to the agriculture, horticulture, or floriculture of the United States, permits may be issued, on application, authorizing the entry of such nursery stock and other plants and seeds under such safeguards as may be prescribed in the permits: *Provided*, That importations under this regulation shall be limited to specific classes of nursery stock and other plants and seeds which can be considered as peculiar to or standard productions of such contiguous countries, and not mere reproductions of imported stock from other foreign countries: *Provided further*, That this shall not apply to nursery stock and other plants and seeds governed by special quarantines and other restrictive orders, other than Quarantine 37, now in force, nor to such as may hereafter be made the subject of special quarantines: *Provided further*, That in addition to the certificate required by regulation 7, the invoice covering nursery stock and other plants and seeds offered for entry under this regulation must be accompanied by a certificate of a duly authorized official of the country of origin, stating that the nursery stock and other plants and seeds proposed to be exported to the United States have been produced or grown in the country from which they are proposed to be exported:[4] *Provided further*, That cut flowers from the Dominion of Canada may be imported into the United States free of any restriction whatsoever, when free from sand, soil, or earth.

This amendment shall be effective on and after July 1, 1924.

Done at the city of Washington this 30th day of June, 1924.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.] HENRY C. WALLACE.
Secretary of Agriculture.

REMOVES BAN ON CUT FLOWERS FROM CANADA

[Press notice]

JULY 9, 1924.

Lifting of the Federal ban on bringing in cut flowers from Canada is announced by the Federal Horticultural Board, United States Department of Agriculture, effective July 1. This action is in line with the board's policy of avoiding unnecessary restrictions on international trade in its enforcement of the Federal quarantines. Cut flowers may now be brought in from Canada free of any restrictions whatever when free from sand, soil, or earth.

Experience during the last few years, it is said, indicates that the importations of cut flowers from Canada are rather limited and no risk of the introduction of injurious insect pests or dangerous plant diseases with them has been detected.[5]

RESTRICTIONS ON THE ENTRY OF CUT FLOWERS AND DECORATIVE PLANT MATERIAL

HB–183. MAY 8, 1924.

For the purpose of preventing the entry of plant diseases and insect pests, Quarantine 37 restricts the entry into the United States of plants and plant products for or capable of propagation. (See HB–105 for detailed information on such restrictions.)

These restrictions may apply to cut flowers and other portions of plants imported for decorative purposes, even though such materials are not intended for propagation. It is realized, however, that the risk from such importations is minor where the cut flowers or other portions of plants are incapable of propagation; in other words, where their use can only be for a temporary

[4] Application Form No. 221 for permit under this regulation will be sent on request.

[5] It should be noted that this does not apply to cut flowers of chrysanthemum, aster, cosmos, zinnia, hollyhock, gladiolus, and dahlia from the Province of Ontario. Cut flowers of the varieties named from that Province must continue to be accompanied by a certificate from the authorities of the Canadian Department of Agriculture to the effect that they have been inspected and found to be free from the European corn borer and other dangerous insect pests and plant diseases.

decorative purpose. On the other hand, those cut flowers and decorative plant materials whose parts are capable of being used for propagation may involve much of the same risk which would attach to the importation of entire plants. It is therefore ordered—

(1) That those cut flowers and decorative plant materials whose parts are capable of being used for propagation shall be included under the restrictions of the quarantine, and therefore may not be imported for purposes other than those specified in Regulation 14.

(2) That, except as governed by special quarantines now in force, or such as may hereafter be made the subject of special quarantines, cut flowers and decorative plant materials not capable of propagation may be imported without permit or other compliance with the regulations under Quarantine 37 when free from sand, soil, or earth.

Some of the cut-flower and decorative plant material concerning which inquiries are likely to be made are listed below. Rulings on other plants may be secured upon request made to the Federal Horticultural Board.

CAPABLE OF PROPAGATION AND THEREFORE EXCLUDED

Buxus sempervirens	Boxwood sprays.
Gardenia florida	Cape jasmine flowers.
Lippia citriodora	Lemon verbena sprays.
Myrtus communis	Myrtle sprays.
Pelargonium graveolens	Rose geranium sprays.
Rosa spp	Rose flowers of all kinds.
Salix discolor	Pussy willow stems.
Syringa vulgaris	Lilac flowers of all kinds.

INCAPABLE OF PROPAGATION AND THEREFORE ADMITTED WITHOUT RESTRICTION

Adiantum spp	Maidenhair fern sprays of all kinds.
Asparagus spp	Asparagus and florist's smilax sprays of all kinds.
Calendula officinalis	Marigold flowers.
Calluna vulgaris	Scotch heather sprays.
Chrysanthemum spp	Chrysanthemum flowers.
Convallaria majalis	Lily of the valley flowers.
Dianthus caryophyllus	Carnation flowers.
Erica spp	Cape heather sprays.
Freesia spp	Freesia flowers of all kinds.
Gladiolus spp	Gladiolus flowers of all kinds.
Hyacinthus spp	Hyacinth flowers of all kinds.
Kniphofia spp	Torchlilies of all kinds.
Lathyrus odoratus	Sweet peas of all kinds.
Lilium spp	Lily flowers of all kinds.
Narcissus spp	Narcissus flowers of all kinds.
Onopordum acanthium	Scotch thistle sprays.
Orchidaceæ	Orchid flowers of all kinds.
Ornithogalum thyrsoides	Chinkerechee flowers.
Reseda odorata	Mignonette flowers.
Tulipa spp	Tulip flowers of all kinds.
Viola tricolor	Pansies of all kinds.
Zantedeschia ethiopica	Calla lily flowers.

C. L. MARLATT,
Chairman Federal Horticultural Board.

CANADIAN CHRISTMAS-TREE QUARANTINE

QUARANTINE AGAINST CANADIAN CHRISTMAS TREES AND GREENS. NOTICE OF QUARANTINE NO. 57, WITH REGULATIONS

[Effective on and after July 1, 1924]

The fact has been determined by the Secretary of Agriculture, and notice is hereby given (1) that the gipsy moth (*Porthetria dispar* L.), an injurious insect pest, is now known to occur in northern Vermont near the Canadian

border, and may, therefore, be shortly expected to invade the Dominion of Canada, if it has not already established foothold therein, and (2) that the unrestricted importation of Christmas trees (coniferous trees, such as spruce, juniper (cedar) arbor vitæ (white cedar), fir, hemlock, and pine), and greens (decorative plants, such as holly and laurel) from the following portions of the Province of Quebec, Dominion of Canada, viz, the townships of Havelock and Hemmingford, in *Huntingdon County; Napierville County;* all territory south of a line drawn east and west through St. Blaise on the Canadian National Railway, in *St. Johns County;* the seigneuries of Sabrevois and Noyan, in *Iberville County;* the townships of Dunham, St. Armand, and Stanbridge, and the seigneurie of Faucault, in *Missisiquoi County;* the townships of Sutton and Potton, in *Brome County;* the townships of Stanstead, Barnston, and Barford, in *Stanstead County;* and the township of Hereford, in *Compton County,* may result in the entry of the gipsy moth into the United States.

Now, therefore, I, Henry C. Wallace, Secretary of Agriculture, do hereby declare that in accordance with section 5 of the plant quarantine act, the importation, on or after July 1, 1924, into the United States, by any person, persons, corporations, companies, societies, or associations, of the aforesaid plants and plant products is unlawful, unless and until a permit shall have been issued therefor by the Secretary of Agriculture under the conditions and regulations supplemental hereto and made a part hereof.

Done at the city of Washington this 30th day of June, 1924.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.] HENRY C. WALLACE,
Secretary of Agriculture.

CONDITIONS AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE No. 57

Regulation 1.—Restrictions on Importation

The importation into the United States of Christmas trees and greens, as described in Plant Quarantine No. 57, from the places therein specified, is permissible only when a permit therefor has been issued by the Secretary of Agriculture.

Regulation 2.—Issuance of Permits

Permits for the importation into the United States of Christmas trees and greens, as described in Plant Quarantine No. 57, from the places therein specified, will be issued only upon the presentation of evidence satisfactory to the Secretary of Agriculture that the articles proposed to be so imported are absolutely free from infestation by the gipsy moth in any of its stages.

Done at the city of Washington this 30th day of June, 1924.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.] HENRY C. WALLACE,
Secretary of Agriculture.

FEAR OF GIPSY MOTH FROM CANADA LEADS TO FEDERAL QUARANTINE

[Press notice]

JULY 3, 1924.

A Federal quarantine against the importation of Christmas trees and greens from certain parts of the Province of Quebec was put into effect July 1 by the Federal Horticultural Board of the United States Department of Agriculture. The necessity for the quarantine is the presence of the gipsy moth, a destructive insect pest, in northern Vermont near the Canadian border and the fact that it may shortly be expected to invade the Dominion, if it has not already done so, and be spread to other parts of the United States.

The parts of the Province of Quebec to come under the quarantine are: The townships of Havelock and Hemmingford, in Huntingdon County; Napierville County; all territory south of a line drawn east and west through St. Blaise on the Canadian National Railway, in St. Johns County; the seigneuries of Sabrevois and Noyan, in Iberville County; the townships of Dunham, St. Armand, and Stanbridge, and the seigneurie of Faucault, in Missisiquoi County; the townships of Sutton and Potton, in Brome County; the townships of Stanstead, Barn-

ston, and Barford, in Stanstead County; and the township of Hereford, in Compton County.

The quarantine, it is said, will be supplemented and supported by a quarantine issued by the Canadian Department of Agriculture prohibiting the movement of Christmas trees and greens from this area to any point outside, either Canada or the United States. Canada, too, will make provision for the certification of Christmas trees and greens originating in an area of about the same size immediately surrounding the embargoed territory.

TERMINAL INSPECTION OF PLANTS AND PLANT PRODUCTS

TWO TERMINAL INSPECTION POINTS IN OREGON DISCONTINUED

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, April 28, 1924.

Postmaster:

MY DEAR SIR: In connection with previous instructions of this office relating to the terminal inspection of plants and plant products subject thereto when addressed to places in Oregon, you are informed that facilities for the terminal inspection of plants and plant products at Forest Grove and McMinnville, Oreg., have been discontinued.

Hereafter, therefore, upon receiving the required postage as prescribed by paragraph 3, section 478¼, Postal Laws and Regulations, you will send to the nearest inspection point all parcels addressed to your office which contain plants or plant products subject to terminal inspection.

Terminal inspection is now maintained at the following places in Oregon:

Astoria,	Grants Pass,	Ontario,
Baker,	Hood River,	Portland,
Cottage Grove,	La Grande,	Roseburg,
Eugene,	Medford,	Salem,
Freewater,	Milton,	The Dalles.

Sincerely yours,

W. IRVING GLOVER,
Third Assistant Postmaster General.

MISCELLANEOUS ITEMS

PLANT QUARANTINE CONFERENCE, APRIL 28–30 [6]

LIMITATIONS OF FEDERAL AND STATE QUARANTINE POWERS AS DETERMINED BY DECISIONS OF THE UNITED STATES SUPREME COURT

APRIL 16, 1924.

DR. C. L. MARLATT,
Chairman Federal Horticultural Board.

DEAR DOCTOR MARLATT: In accordance with your memorandum of March 22, I am presenting herewith, for use in connection with the proposed plant quarantine conference of April 28–30, a statement setting forth the scope and the limitations of Federal and State quarantine powers as determined by decisions of the United States Supreme Court.

As the result of our unique form of government we have one sovereignty, the United States, composed of 48 sovereignties. The powers of the national sovereignty are those which have been delegated to it, as embodied in the Constitution, and the powers of the States, as sovereigns, are those which have not been so delegated.

The Federal power, under which the United States passes and enforces its quarantine laws, is that delegated to it by Article I, Section VIII, paragraph 3, of the Constitution, which reads as follows:

The Congress shall have power—

To regulate commerce with foreign nations and among the several States and with Indian tribes.

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[6] For call of conference see S. R. A. No. 78, pp. 23–25.

It may also be noted that the State's power to pass quarantine or inspection laws is specifically recognized by the Constitution in Article I, Section X, paragraph 2, which reads as follows:

No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, *except what may be absolutely necessary for executing its inspection laws.*

These governmental functions, exercisable respectively by the United States and by the individual States, being coexistent and often bearing upon the same subject (Gibbons *v.* Ogden, 9 Wheat. 1, 204; M., K. & T. R. R. *v.* Haber, 169 U. S. 613, p. 627) may reasonably be expected to come into conflict and, in fact, they have done so in a number of instances. In such cases it is the function of the courts to determine to what extent, if at all, these powers are in conflict or have been improperly exercised.

Cases involving such conflict or alleged conflict, when carried to and decided by the Supreme Court of the United States, present to us a final determination as to the legality or illegality of the power exercised, whether it is in the form of a law or of a quarantine order issued thereunder, and from a long line of cases of this kind some general conclusions of law may be drawn. While these cases involve almost exclusively the interstate transportation of livestock, as affecting the property interest of citizens of the States, the principles established could apply equally to the interstate transportation of nursery stock which might involve like property dangers.

Before taking up the specific cases, however, it will be helpful to quote from various decisions of this highest legal tribunal some of its general pronouncements as to the relativity and the spheres of these two recognized powers—the Federal power to regulate interstate commerce and the power of the States to guard the life, health, property, etc., of its citizens. These different statements will be numbered for convenience of reference when particular cases are discussed later.

First, as to the power of the Federal Government to regulate interstate commerce:

(1) "What is this power? It is the power to regulate—that is, to prescribe the rule by which commerce is to be governed. This power, like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations other than are prescribed in the Constitution * * * the sovereignty of Congress, although limited to specified objects, is plenary as to those objects." * * * (Gibbons *v.* Ogden, 9 Wheat. 1, p. 196.)

(2) "The nullity of any act, inconsistent with the Constitution, is produced by the declaration that the Constitution is the supreme law." (Id., p. 211.)

(3) "It is clear from the nature of our complex form of government that whenever the statute of a State invades the domain of legislation which belongs exclusively to the Congress of the United States it is void no matter under what class of powers it may fall or how closely allied to powers conceded to belong to the States." (Henderson *v.* Mayor of New York, 92 U. S. 259, p. 272.)

(4) "But whatever may be the nature and reach of the police power of a State it can not be exercised over a subject confided exclusively to Congress by the Federal Constitution. It can not invade the domain of the National Government." (Railroad *v.* Husen, 95 U. S. 465, p. 471.)

(5) "It has been too frequently decided by this court to require the restatement of the decisions, that the exclusive power to regulate interstate commerce is vested by the Constitution in Congress, and that other laws which undertake to regulate such commerce or impose burdens upon it are invalid." (McLean *v.* D. & R. G. R. R., 203 U. S. 38, pp. 49–50.)

(6) "The governmental power over the commerce which is interstate is vested exclusively in the Congress by the commerce clause of the Constitution, and therefore is withdrawn from the States." (Asbell *v.* Kansas, 209 U. S. 251, p. 254.)

Second: As to the police power of the States to protect the life, health, and property of its citizens:

(*a*) Its existence and recognized purpose:

(7) "We admit that the deposit in Congress of the power to regulate foreign commerce and commerce among the States was not a surrender of that which may properly be denominated police power. What that power is, it is difficult to define with sharp precision. It is generally said to extend to making regulations promotive of domestic order, morals, health, and

safety * * *. It may also be admitted that the police powers of a State justifies the adoption of precautionary measures against social evils * * *. The same principle, it may also be conceded, would justify the exclusion of property dangerous to the property of citizens of the State. All these exertions of power are in immediate connection with the protection of persons and property against noxious acts of other persons, or such a use of property as is injurious to the property of others. They are self-defensive." (Railroad *v.* Husen, 95 U. S. 465, pp. 470–471.)

(8) "The States may, by police regulations, protect their people against the introduction within their respective limits of infected merchandise." (Patterson *v.* Kentucky, 97 U. S. 501, p. 505.)

(9) "This court, while sustaining the power of Congress to regulate commerce among the States, has steadily adhered to the principle that the States possess, because they have never surrendered, the power to protect the public health, the public morals, and the public safety, by any legislation appropriate to that end which does not encroach upon rights guaranteed by the national Constitution, nor come in conflict with acts of Congress passed in pursuance of that instrument. Although the powers of a State must in their exercise give way to a power exerted by Congress under the Constitution, it has never been adjudged that that instrument by its own force gives anyone the right to introduce into a State, against its will, cattle so affected with disease that their presence in the State will be dangerous to domestic cattle." (M., K. & T. R. R. *v.* Haber, 169 U. S. 613, p. 628.)

(10) "Whenever inspection laws act on the subject before it becomes an article of commerce they are confessedly valid, and also when, although operating on articles brought from one State into another, they provide for inspection in the exercise of that power of self-protection commonly called the police power. No doubt can be entertained of this where the inspection is manifestly intended, and calculated in good faith, to protect the public health, the public morals, or the public safety." (Patapsco Co. *v.* North Carolina, 171 U. S. 345, p. 357.)

(11) "Cattle, while in the course of transportation from one State to another, and in that respect under the exclusive control of the law of the National Government, may at the same time be the conveyance by which disease is brought within the State to which they are destined, and in that respect subject to the power of the State exercised in good faith to protect the health of its own animals and its own people. In the execution of that power the State may enact laws for the inspection of animals coming from other States with the purpose of excluding those which are diseased and admitting those which are healthy." (Asbell *v.* Kansas, 209 U. S. 251, p. 256.)

(*b*) Limitation on its exercise:

(12) "Such a right (the exclusion of paupers and criminals), can only arise from a vital necessity for its exercise, and can not be carried beyond the scope of that necessity * * *. The statute of California goes so far beyond what is necessary, or even appropriate, for this purpose as to be wholly without any sound definition of the right under which it is supposed to be justified." (Chy Lung *v.* Freeman, 92 U. S. 275, p. 280.)

(13) "They (the cases of Henderson *v.* Mayor of New York, 92 U. S. 529, and Chy Lung *v.* Freeman, 92 U. S. 275) deny validity to any State legislation professing to be an exercise of police power for protection against evils from abroad, which is beyond the necessity for its exercise wherever it interferes with the rights and powers of the Federal Government. * * * The police power of a State can not obstruct foreign commerce or interstate commerce beyond the necessity for its exercise." (R. R. *v.* Husen, 95 U. S. 465, p. 473.)

(14) "It (the unconstitutionality of a statute), depends upon whether the police power of the State has been exerted beyond its province—exerted to regulate interstate commerce—exerted to exclude, without discrimination, the good and the bad, the healthy and the diseased, and to an extent *beyond what is necessary for any proper quarantine*." (Smith *v.* St. Louis Ry. Co., 181 U. S. 248, p. 255.)

(15) "The State—Congress not having assumed charge of the matter as involved in interstate commerce—may protect its people and their property against such dangers, taking care always that the means employed to that end do not go beyond the necessities of the case or unreasonably burden the exercise of privileges secured by the Constitution of the United States." (Reid *v.* Colorado, 187 U. S. 137, p. 151.)

(*c*) **Subject to careful scrutiny to see whether it is a bona fide exercise of the police power or only its pretended exercise in order to effect a regulation of interstate commerce:**

(16) "In whatever language a statute may be framed, its purpose must be determined by its natural and reasonable effect." (Henderson *v.* Mayor, 92 U. S. 259, p. 268.)

(17) "It (the State law), may not interfere with transportation into or through the State, beyond what is absolutely necessary for its self-protection. It may not, under the cover of exerting its police powers, substantially prohibit or burden either foreign or interstate commerce * * * so in the case of Chy Lung *v.* Freeman, where the pretense was the exclusion of lewd women; but as the statute was more far-reaching, and affected other immigrants, not of any class which the State could lawfully exclude, we held it unconstitutional." (Railroad *v.* Husen, 95 U. S. 465, p. 472.)

(18) "It (the State), may not, under the guise of exerting its police powers or of enacting inspection laws, make discriminations against the products and industries of some of the States in favor of the products and industries of its own or of other States." (Brimmer *v.* Redman, 138 U. S. 78, p. 82.)

(19) "What, however, is a proper quarantine law—what a proper inspection law in regard to cattle—has not been declared. Under the guise of either a regulation of commerce will not be permitted. Any pretense or masquerade will be disregarded, and the true powers of a statute ascertained." (Smith *v.* St. Louis Ry., 181 U. S. 248, p. 257.)

(20) "The State may not, however, for this purpose exclude all animals, whether diseased or not, coming from other States, nor under the pretense of protecting the public health, employ inspection laws to exclude from its borders the products or merchandise of other States; and this court will assume the duty of determining for itself whether the statute before it is a genuine exercise of an acknowledged State power, or whether, on the other hand, under the guise of an inspection law, it is really and substantially a regulation of foreign or interstate commerce which the Constitution has conferred exclusively upon the Congress." (Asbell *v.* Kansas, 209 U. S. 251, p. 256.)

(*d*) **Is without effect as to a class of articles transported in interstate commerce when the entire subject of the transportation of that class has been taken under Federal supervision:**

(21) "No collision that would disturb the harmony of the National and State Government * * * in the exercise of their respective powers need occur, unless the National Government, acting within the limits of its constitutional authority, takes under its immediate control and exclusive supervision the entire subject to which the State legislation may refer." (M., K & T. Ry. *v.* Haber, 169 U. S. 613, p. 627.)

(22) "When the entire subject of the transportation of livestock from one State to another is taken under direct national supervision and a system devised by which diseased stock may be excluded from interstate commerce, all local or State regulations in respect of such matters and covering the same ground will cease to have any force, whether formally abrogated or not." (Reid *v.* Colorado, 187 U. S. 137, pp. 146–147.)

(23) "We are of the opinion that, in the absence of congressional legislation covering the subject, and making a different provision, the act in controversy is a valid exercise of the police power of the Territory." (McLean *v.* D. & R. G. R. R. 203 U. S. 38, p. 55.)

(24) "Large powers to control the interstate movement of cattle liable to be afflicted with a communicable disease have been conferred on the Secretary of Agriculture by the act of February 2, 1903 (32 Stat. 791), and the act of March 3, 1905 (33 Stat. 1204) * * * There can be no doubt that this is the supreme law, and if the State law conflicts with it, the State law must yield." (Asbell *v.* Kansas, 209 U. S. 251, pp. 257–258.)

(*e*) **May "affect" interstate commerce so long as it does not amount to a regulation thereof:**

(25) "Many acts of a State may, indeed, affect commerce, without amounting to a regulation of it, in the constitutional sense of the term. And it is sometimes difficult to define the distinction between that which merely affects or influences and that which regulates and furnishes a rule for conduct." (R. R. *v.* Husen, 95 U. S. 465, p. 472.)

(26) "A statute enacted in execution of a reserved power of the State is not to be regarded as inconsistent with an act of Congress passed in the execution of a clear power under the Constitution, unless the repugnance or conflict is

so direct and positive that the two acts can not be reconciled or stand together." (M., K. & T. R. R. *v.* Haber. 169 U. S. 613, p. 623.)

(27) "Any action taken by the State upon that subject (the safety of persons and property within its limits) that does not directly interfere with rights secured by the Constitution of the United States or by some valid act of Congress must be respected until Congress intervenes." (M., K. & T. Ry. *v.* Haber, 169 U. S. 613, p. 635.)

(28) "In any view, the effect (of the inspection law of North Carolina) on that commerce is indirect and incidental, and the Constitution of the United States does not secure to anyone the privilege of defrauding the public." (Patapsco Company *v.* North Carolina, 171 U. S. 345, p. 361.)

(29) "In the application of this principle of supremacy of an act of Congress in a case where the State law is but the exercise of a reserved power, the repugnance or conflict should be direct and positive, so that the two acts could not be reconciled or consistently stand together." (Reid *v.* Colorado, 187 U. S. 137, p. 148.)

(30) "The statute before us (a Kansas cattle inspection act) is an inspection law and nothing else; it excludes only cattle found to be diseased, and in the absence of controlling legislation by Congress it is clearly within the authority of the State, even though it may have an incidental and indirect effect upon commerce between the States." (Asbell *v.* Kansas, 209 U. S. 251, p. 256.)

Application of the foregoing principles to specific cases involving exercise of State police powers:

With the foregoing general principles in mind, we may examine some of the leading cases to see how these principles have been applied to specific State laws, quarantines, or orders, and to the particular persons or things they were designed to affect, taking, first, a number of cases wherein the exercise of the State police power has been held invalid as repugnant to the United States Constitution, and second, cases where the State law has been held valid as properly within its reserved police power.

I. *State laws held unconstitutional*

Chy Lung *v.* Freeman (92 U. S. 275). In this case a California statute authorized the Commissioner of Immigration to satisfy himself as to whether any alien passenger arriving in the State by vessel from a foreign port was likely to become a public charge or was a lewd or debauched woman, and that no such person might land until the owner of the vessel gave bond to save harmless, for two years, every city and town of the State against the expense that might be involved.

Held that the effect of this statute as framed was really to put in the hand of one man the power to "prevent, entirely, vessels engaged in a foreign trade from carrying passengers," and that "it goes so far beyond what is necessary or even appropriate" for the purpose of excluding paupers, criminals, etc., from the State as to be wholly unjustified. (See 4, 6, 12–15, 17.)

R. R. Co. *v.* Husen (95 U. S. 465). In this case a Missouri statute prohibited the driving or conveying into that State any Texas, Mexican, or Indian cattle between March 1 and November 1 of any year.

Held that this act was not an inspection law nor a quarantine law, but "a plain intrusion upon the exclusive domain of Congress"; it prevented cattle coming into the State for eight months of the year "whether free from disease or not"; it therefore obstructed interstate commerce "beyond the necessity" for the exercise of State police power. (See 3, 6, 12–15.)

Minnesota *v.* Barber (136 U. S. 313). In this case a Minnesota statute prohibited the sale of fresh meats anywhere in the State unless taken from an animal which had been inspected and certified as healthy by a Minnesota inspector, within the State, 24 hours before it was killed.

Held that the operation of the State law was to exclude from the Minnesota market practically *all* fresh meats, even though entirely sound and healthy, taken from animals slaughtered in other States. (See 12, 14, 17–20.)

Brimmer *v.* Redman (138 U. S. 78). In this case a Virginia statute prohibited the sale of fresh meats anywhere in the State which were slaughtered over 100 miles from the place of sale unless inspected and approved by a Virginia inspector in the county of sale.

Held that though avowedly enacted to protect the people of Virginia against the sale of unwholesome meats, the statute had no real or substantial re-

lation to such an object, but, by its necessary operation, was a regulation of interstate commerce, beyond the power of the State to establish. (See 12, 14, 17–20.)

Voight *v.* Wright (141 U. S. 62). In this case a Virginia statute prohibited the sale of any flour brought into the State until reviewed and inspected by a Virginia inspector, but did not require any inspection of flour manufactured in Virginia.

Held that the effect of the law was to discriminate against the products and industries of other States in favor of those of Virginia and it was therefore a direct burden on interstate commerce. (See 16–20.)

Schollenberger *v.* Pennsylvania (171 U. S. 1). In this case a Pennsylvania statute prohibited the selling or offering for sale oleomargarine in the State.

Held that while the State has power to regulate the introduction of any article, including a food product, so as to insure purity of the article imported, such power does not include the total exclusion of a lawful article of commerce as a remedy against the importation of such as may have been adulterated. (See 7, 9, 12–15.)

II. *State laws held constitutional* .

M., K. & T. Ry. Co. *v.* Haber (169 U. S. 613). In this case a Kansas statute provided for the recovery of damages against anyone bringing into the State cattle "liable or capable of" communicating Texas fever. It was shown that the United States animal industry act of May 28, 1884 (23 Stat. 31), prohibited railroads and vessels from transporting interstate livestock infested by contagious diseases (excluding Texas fever from such diseases), and made it a misdemeanor for owners of railroads or vessels who violate the act *knowingly*.

Held that the statute did not substantially prohibit or burden interstate commerce; that it did not prohibit the bringing into the State of *all* Texas cattle, but only that those bringing in cattle liable to communicate Texas fever should be held to damages (p. 630), and that the State law was "in aid of the objects which Congress had in view" in the animal industry act (p. 625). (See 7, 9, 11, 25, 29, 30.)

Rassmussen *v.* Idaho (181 U. S. 198). In this case an Idaho statute authorized the governor to prohibit the importation or shipment into the State from designated localities in other States where he had "reason to believe" that infectious sheep diseases were epidemic. Under this authority he satisfied himself that a scab disease was epidemic among sheep in certain counties in Utah and Nevada, and prohibited the entry or shipment from those counties into Idaho.

Held that the act was "to be considered a purely quarantine act"; that it contemplated investigation in every case before any restraining order was issued; and that it provided only such restraints as were "absolutely necessary" in the judgment of the State to prevent the spread of disease (p. 202). (See 7, 9, 10, 11, 25, 29, 30.)

Smith *v.* St. Louis Railway Co. (181 U. S. 248). In this case a Texas statute authorized the State livestock commission to establish quarantine laws and regulations to protect Texas animals from contagious and infectious diseases which "exist in Texas or elsewhere." The commission issued a regulation stating that it had "reason to believe" that certain diseases had broken out, or, were liable to break out, in the State of Louisiana, and prohibited the transportation of cattle, mules, or horses into Texas from Louisiana from January 5 to November 15, 1897.

Held that the statute was a proper one, and, in the absence of any proof to the contrary, the presumption was conclusive that the action of the commission "was taken on sufficient information," and that a thorough investigation had been made into the "necessity" for the action taken (p. 258). (See 7, 9, 11, 25, 29, 30.)

Reid *v.* Colorado (187 U. S. 137). In this case a Colorado statute recited that contagious cattle diseases were prevalent in cases south of parallel 36, and made it unlawful to bring infested cattle into the State or to bring *any* cattle into the State between April 1 and November 1 from any State south of parallel 36 without securing a State certificate showing absence of disease and nonexposure thereto. The United States animal industry act of May 28, 1884 (23 Stat. 31), made it unlawful for anyone to deliver to a railroad company for interstate transportation livestock, *knowing* them to be diseased.

Held that Congress had not covered the whole subject of the interstate transportation of livestock, and had left a wide field for the exercise of State police

power (p. 147), and that the State law does not exclude *all* livestock, but only prescribed certain methods to protect the property of its own citizens, such methods being appropriate to the object which the State was entitled to accomplish (p. 152). (See 21, 7, 9, 11, 14, 30.)

Asbell *v.* Kansas (209 U. S. 251). In this case a Kansas statute made it a misdemeanor to transport any cattle into the State from any point south of the State's south line unless first inspected and passed as healthy by an official of the State or of the United States Bureau of Animal Industry. The United States law provided that when an inspector of the Bureau of Animal Industry had inspected and passed animals as free from disease they might be shipped into any State.

Held that the act was only an inspection law; that it did not exclude all animals, but only those found to be diseased (p. 256); that it was not in conflict with the United States law, as it recognized the supremacy of that law and conforms to it (p. 258). (See 7, 9, 11, 14, 26, 29.)

GENERAL CONCLUSIONS

In view of the foregoing discussion, I think we can safely deduce the following propositions:

(1) That any State law which essays to exclude from its borders all of a certain class of commodities, whether or not such commodities are known or found or believed to be diseased or otherwise injurious to the property or health of its citizens, is invalid.

(2) That any State law purporting to be an exercise of its reserved police power and excluding articles dangerous to the property or health of its citizens may, nevertheless, on investigation be held invalid as only a pretended exercise of that power but really a regulation of interstate commerce.

(3) That any State law essaying to exclude from its borders articles dangerous to the property or health of its citizens will be carefully examined and held invalid if it is found that it goes beyond what is necessary or appropriate to secure that safety for its citizens which it is entitled to secure.

(4) That any State law which essays to exclude from its borders any article as dangerous to the property or health of its citizens will be held invalid if it is in conflict with the exercise of a Federal law covering the entire subject of the interstate transportation of that article.

(5) That the courts will go very far to uphold a State law excluding any article as dangerous to the property or health of its citizens where there appears to be a reasonable basis for a belief that the conclusion as to its dangerous character is the result of investigation or inquiry.

(6) Query: Would a State law be held valid which wholly prohibited the entry into its borders of certain plant products which are known to be the carriers of diseases undiscoverable by inspection and which do not show that infestation for several years after exposure? Would not such an exclusion be held to be "necessary" to prevent a known danger and, therefore, a valid exercise of police power? A decisive answer to this question can be given only by the courts.

Very truly yours,

R. W. Williams,
Solicitor.

PLANT QUARANTINE OFFICIALS MEET FOR THREE-DAY SESSION

[Press notice]

April 28, 1924.

To seek a basis for adjusting the conflicts in Federal and State quarantine powers, 70 inspection officials from practically all parts of the country gathered here to-day for a three-day conference. The meeting was arranged by the Federal Horticultural Board, United States Department of Agriculture, and approved by State officials.

Immediately upon convening, the delegates elected W. C. O'Kane, State entomologist of New Hampshire, permanent chairman. R. C. Althouse, secretary to the chairman of the Federal Horticultural Board, was chosen secretary of the conference. The sessions are being held in the New National Museum.

The need for such a conference, according to the Federal Horticultural Board, grows out of the great number of State embargoes placed on the movement of plants and plant products from areas infested with dangerous pests and dis-

eases. It is felt that quarantine officers should develop some system of inspection and certification which would allow the entrance of shipments that have been declared free and prevent the necessity of embargoes against all movements of the particular plant in question. While it is recognized that some situations can not be controlled other than by embargoes, these are few and the justification for many existing embargoes is open to question.

BASIS LAID FOR AGREEMENT IN STATE AND FEDERAL PLANT QUARANTINE POWERS

[Press notice]

APRIL 30, 1924.

After adopting a schedule of recommendations intended as a basis for adjusting the conflicts in Federal and State quarantine powers, a conference of plant inspection officials from some 20 States adjourned here to-day after a three-day session. The meeting was suggested by the Federal Horticultural Board of the United States Department of Agriculture.

In outlining a basis of agreement as to Federal and State work to prevent the spread of insect pests and plant diseases, the conference first defined the scope of quarantine action. It next made recommendations for the correlation of State and Federal action along these lines. Adequate notice of quarantine action taken or proposed and for notification of changes in personnel were also recommended.

The conference voted to send copies of the recommendations to plant quarantine officials of States that were not represented at the meeting, and they are to be presented for consideration to the conference of Western States plant quarantine officials which is to be held May 12–14.

In summing up the work of the conference just before adjournment, Dr. C. L. Marlatt, chairman of the Federal Horticultural Board, declared that the results were of "tremendous value," and that a good piece of work had been accomplished.

W. C. O'Kane, State entomologist of New Hampshire, served as permanent chairman of the sessions and R. C. Althouse as secretary.

RECOMMENDATIONS OF PLANT QUARANTINE CONFERENCE HELD AT WASHINGTON APRIL 28–30, 1924

The Basis of Agreement

In this conference of State and Federal officials concerned in the promulgation and enforcement of plant quarantines established for the prevention of spread of plant pests and for their control or eradication, it is recognized that we have a common purpose, that the State and Federal powers are complementary, and that both are essential for such control. The principal purpose of the conference, therefore, is to secure full cooperation and to eliminate conflicting action.

With this in view, it is the sense of this conference that such full cooperation on the part of State and Federal plant quarantine officials shall be mutually accorded and accepted in all procedure both with reference to the readjustment of existing State and Federal plant quarantines and their enforcement and with regard to the promulgation of future plant quarantines.

Scope of Quarantine Action

Recognizing that plant quarantines are often the only feasible means of preventing the entry or controlling the spread of diseases and insect pests, it is nevertheless obvious that such quarantines should be established only when the economic benefit to a region, State, or country clearly outweighs the inconvenience, expense, and loss that such quarantines may occasion. Such quarantines may be divided into the following classes:

First, restrictive quarantines. These should be employed whenever their action will sufficiently accomplish the purpose sought. Restrictive quarantines are believed to be sufficient for the following subjects:

(*a*) Where adequate safeguards by inspection and treatment are believed to be feasible.

(*b*) For diseases or pests of long establishment or of wide distribution, where retardation of spread is believed to be the only object that is practicable of accomplishment.

(*c*) For diseases or pests of minor economic significance which can be at least partially controlled by inspection without heavy expenditure and without entailing heavy losses.

Second, embargoes. These should be employed only where restrictive quarantines are inadequate. The employment of an embargo may be justified in cases where the infection or infestation is of such types as—

(*a*) The presence of which can not with reasonable certainty always be determined by inspection; for example, white-pine blister rust, citrus canker, oriental peach moth, and satin moth.

(*b*) Where the volume or nature of the material involved makes efficient inspection economically impracticable; for example, the inspection of hay for the presence of alfalfa weevil.

(*c*) Where adequate inspection at point of origin is not maintained and there remains risk or danger of escape of injurious insects or the establishment of a plant disease either in transit or at destination regardless of inspection at destination; example, shipments infested with the Mexican bean beetle.

(*d*) Where the elimination of host plants for the purpose of eradication or control of a disease or pest is under way in a region and these plants, whether attacked or not, may jeopardize the eradication or control activities.

Correlation of State and Federal Action

It is the sense of this conference that all State quarantines should be so limited in subject and scope as not to conflict with existing Federal quarantines, and that all State quarantines now in force which are in conflict with such Federal quarantines should be modified so as to eliminate such conflict.

It is further understood that in any case where it is considered inexpedient for the Federal quarantine to cover the entire subject necessary for the protection of a State any additional protection which the State may need is understood to be left open for State action. If such State action is taken it is understood that it should be supplemental to, but not in conflict with, the action taken under the Federal quarantine.

It is understood and agreed that the needs of a State with respect to any plant-quarantine subject may be presented to the Federal Horticultural Board at any time, but preferably at the original or other stated hearing, and that so far as the Federal Horticultural Board shall deem such incorporation practicable, after full discussion and consideration with the State authorities, such needs shall be incorporated in the Federal regulations. *Example:* This may include provision for so routing movement within a State as to provide for reinspection by State officials at designated concentration points somewhat on the plan of the postal provision for such routing and inspection of parcel-post packages of plants.

It is also understood that with respect to any subject on which the Federal Horticultural Board has not acted the State may act.

It is recommended also that where existing State legislation is inadequate to secure full cooperation between State and Federal authorities and to enable State authority to be conferred upon Federal inspectors an attempt shall be made to obtain enabling legislation.

As a knowledge of the final destination of plants is a very important factor in the control of plant pests, it is the sense of this conference that the Federal Horticultural Board should promptly send notice to the proper authorities of the State of destination, whenever requested to do so, as to every shipment of plants from an area under Federal quarantine, giving the name and address of both the consignor and the consignee, and the number and kind of plants included in the shipment.

Notification by a State of Proposed Action

A State considering the issuance of a quarantine or other regulation of interest to another State shall send notice as far in advance as practicable to the Federal Horticultural Board, to plant-quarantine officers of other States, and to others in interest.

Notification by a State of Action Taken

In case a State enacts legislation or issues a quarantine or other regulation or modification of existing regulations, whether referring to interstate or to intrastate movements, copies of the new or amended measure shall be sent immediately to the Federal Horticultural Board, to plant-quarantine officers of other States, and to others in interest.

Notification of Changes in Personnel

The Federal Horticultural Board and plant-quarantine officers of all States should be kept notified of all changes in responsible plant-quarantine officers.

LIST OF PERSONS ATTENDING PLANT QUARANTINE CONFERENCE APRIL 28–30, 1924

Official delegates representing States

Name	Address	Title
Alabama: O. Brown	Auburn	State plant inspector.
Arkansas: Geo. G. Becker	Little Rock	Chief inspector.
California: Lee A. Strong		(Authorized by Mr. Hecke to represent California.)
Connecticut: W. E. Britton	New Haven	State entomologist.
Florida:		
J. H. Montgomery	Gainesville	Plant quarantine inspector.
Wilmon Newell	do	Plant commissioner.
F. M. O'Byrne	do	Nursery inspector.
O. T. Stone	do	Assistant nursery inspector
Georgia: Jeff Chaffin	Atlanta	Chief inspector.
Indiana: Frank N. Wallace	Indianapolis	State entomologist.
Maryland:		
Ernest N. Cory	College Park	Do.
Geo. S. Langford	do	
S. F. Potts	do	
T. B. Symons	do	Director, extension and State horticultural department.
A. F. Woods	do	President, University of Maryland and executive officer, State board of agriculture.
P. D. Sanders	do	Entomologist.
Massachusetts: R. H. Allen	Boston	State nursery inspector.
Michigan: L. R. Taft	Lansing	State horticulturist.
Mississippi:		
R. W. Harned	A. and M. College	Entomologist.
Hunter H. Kimball	do	Chief inspector, S. P. B.
New Hampshire: W. C. O'Kane.	Durham	State entomologist.
New Jersey: Thomas J. Headlee.	New Brunswick	Do.
New York:		
Geo. G. Atwood	Albany	Director, bureau of plant industry, department of farms and markets.
C. R. Crosby	Ithaca	Entomologist, New York State College of Agriculture.
North Carolina: T. B. Mitchell.	Raleigh	Inspector.
Ohio: Richard Faxon	Columbus	Chief, division of plant industry.
Pennsylvania: C. H. Hadley	Harrisburg	Director, bureau of plant industry, Pennsylvania Department of Agriculture.
South Carolina: A. F. Conradi.	Clemson College	Entomologist.
Virginia:		
T. C. Johnson	Norfolk	Truck experiment station.
W. J. Schoene	Blacksburg	State entomologist.
West Virginia W. E. Rumsey.	Morgantown	Do.
Wisconsin: L. R. Jones	Madison	Department of plant pathology.

Official delegates representing Federal Horticultural Board

C. L. Marlatt		Chairman, Federal Horticultural Board.
W. A. Orton		Vice chairman, Federal Horticultural Board.
Karl F. Kellerman		Member, Federal Horticultural Board.
Geo. B. Sudworth		Do.
E. R. Sasscer		Federal Horticultural Board.
L. A. Strong		Do.
R. Kent Beattie		Do.
David Lumsden		Do.
R. C. Althouse		Do.
A. L. Quaintance		Bureau of Entomology.
W. R. Walton		Do.
A. F. Burgess	Melrose Highlands, Mass	Entomologist in charge moth work.
D. M. Rogers	Boston, Mass	Assistant in charge moth quarantine.
L. H. Worthley	Arlington, Mass	Expert in charge corn-borer control.
H. L. Blaisdell	Melrose Highlands, Mass	In charge scientific and extermination work.
C. W. Stockwell	Riverton, N. J	Bureau of Entomology.
Loren B. Smith	do	Entomologist in charge, Japanese beetle project.
Thomas G. Shearman		Assistant to the solicitor.

The following persons were also present:

Name	Address	Title
Henry C. Wallace		Secretary of Agriculture.
Harold Morrison		Bureau of Entomology.
C. A. Weigel		Do.
F. G. Robb		Bureau of Agricultural Economics.
Peter Bisset		Bureau of Plant Industry.
C. C. Thomas		Do.
Roland McKee		Do.
Wilson Popenoe		Do.
B. T. Galloway		Do.
H. B. Humphrey		Do.
C B. Doyle		Do.
O F. Cook		Do.
W. R. Beattie		Do.
J. H. Beattie		Do.
Bernard Connor		Do.
J. C. Corbett		Do.
J. F. Martin		Do.
Haven Metcalf		Do.
H. P. Gould		Do.
F. L. Mulford		Do.
Guy E. Yerkes		Do.
B. T. Morrison		Do.
F. E. Kempton		Do.
Charles Brooks		Do.
W. A. Taylor		Do.
S. B. Detwiler		Do.
Maude Thompson		Do.
G. F. Gravatt		Do.
J. Edward Moon	Morrisville, Pa	Representing American Association of Nurserymen.
William Flemer	Springfield, N. J	Do.
T. B. Meehan	Dresher, Pa	Do.
M. Q. Macdonald	910 McLachlen Building, Washington, D. C.	Do.
Everett W. Crawford	Boston, Mass	Representing New England Nurserymen's Association.
E. L. D. Seymour	New York, N. Y	Associate editor, Florists Exchange.

REPORT OF PLANT QUARANTINE CONFERENCE HELD IN WASHINGTON APRIL 28–30, 1924

A plant quarantine conference of the plant inspection officials of the several States and of the United States Department of Agriculture was held in the National Museum, Washington, April 28–30, 1924. This conference was initiated by the Federal Horticultural Board and had for its purpose the discussion of the general problem of State and Federal plant quarantines, with the object of securing more full cooperation between the States and the Federal authorities in the enforcement of such quarantines.

The preliminary suggestion of such conference was issued by the chairman of the Federal Horticultural Board March 7, and this led to responses of approval from practically all of the States. The formal call for the conference was issued by the board April 2 and contained, at the suggestions of several States, an indication of certain specific topics which might properly come before the conference for general discussion and action. For the information of the conference there were also submitted by the board: (1) A statement prepared by the Solicitor of the department setting forth the scope and limitations of Federal and State quarantine powers as determined by decisions of the United States Supreme Court, and (2) a digest of all the plant quarantines promulgated by the several States. It may be noted that this digest lists 190 State quarantines, relating to interstate shipments, and that of these 137 are embargoes in whole or in part, and 53 are regulative; also that some 119 either parallel or are more or less in conflict with Federal quarantines.

Official delegates representing some 21 States were in attendance and also officials of the Federal Horticultural Board and other bureaus and offices of the department cooperating with the board in the enforcement of Federal quarantines. There were also present a considerable number of persons interested in the general subject but not officially participating in the conference (see list).

In opening the conference for organization, Dr. C. L. Marlatt, chairman of the Federal Horticultural Board, made a general statement of the board's pur-

pose in calling the conference, and later in the morning the conference was addressed briefly by Secretary Wallace.

The conference was organized by the election of Prof. W. C. O'Kane, State entomologist of New Hampshire, as chairman, and Mr. R. C. Althouse, assistant to the chairman of the Federal Horticultural Board, as secretary.

The work of the conference opened with a general discussion of the legal phases of State and Federal quarantines. This was followed by taking up the quarantines as promulgated by the several States for detailed examination. The discussion of general quarantine principles and the consideration of these individual quarantines occupied the first three sessions of the conference. At the close of the third session, on motion, a committee, to include in addition to the members of the Federal Horticultural Board five State officials, was appointed by the chairman of the conference to prepare recommendations which should embody the judgment of the conference with respect to the several subjects which had been under discussion. Under the terms of the motion, the chairman of the conference was to act as the chairman of this committee. The personnel of this committee was as follows:

W. C. O'Kane, chairman; W. E. Britton, Wilmon Newell, Frank N. Wallace, Lee A. Strong, C. L. Marlatt, W. A. Orton, George B. Sudworth, Karl F. Kellerman.

The report of this committee, with the unanimous indorsement of all its members, was submitted to the conference on the morning of April 30, and after full discussion and some amendment was unanimously adopted by the conference. (The recommendations are attached hereto.)

While the State representation at the conference was chiefly central and eastern, the indorsement of the plan of such conference by the Western States was general, and by prior arrangement it was understood that the results of the conference would be carried to the Denver meetings (May 12 to 14) of the western plant quarantine board, the membership of which includes 11 Western States and also British Columbia, Hawaii, and Lower California. In this way the Western States represented in that regional organization and also the plant quarantine representatives of other Central and Western States in attendance at its sessions will be given opportunity to consider and approve the results of the Washington conference.

It will perhaps be of interest to record that the general feeling of those present at the conference was that it had been of great value in emphasizing the necessity for closer cooperation of Federal and State authorities in the promulgation and enforcement of plant quarantines and in the resulting understandings and agreements which should largely eliminate conflicting action. Of great value also was the enunciation of general principles which should determine the issuance of such quarantines. The conference was notable for the spirit of cooperation which was manifested throughout its sessions and the willingness on the part of the State and Federal officials to take such action as to harmonize or bring into alignment State and Federal plant quarantine authorities.

W. C. O'Kane,
Chairman of the Conference.
R. C. Althouse,
Secretary of the Conference.

LIST OF STATE QUARANTINE OFFICIALS

May 7, 1924.

Dear Sir: In compliance with instructions of the plant quarantine conference held in Washington April 28–30 I am sending you herewith a list of responsible quarantine officials of the various States. This list is correct as far as our information goes; and if there are any errors, I shall be glad to be advised thereof.

Yours very truly,

R. C. Althouse,
Secretary of the Conference.

Alabama: Otto Brown, chief division of plant industry, Auburn.

Alaska: Special agent in charge, Alaska Agricultural Experiment Station, Sitka.

Arizona: O. C. Bartlett, State entomologist, Phoenix.

Arkansas: George G. Becker, chief inspector State plant board, Little Rock.

California: A. C. Fleury, supervising quarantine officer, Sacramento; G. H. Hecke, director of agriculture, Sacramento.

Colorado: C. P. Gillette, State entomologist, Fort Collins.

Connecticut: W. E. Britton, State entomologist, New Haven.

Delaware: Ralph C. Wilson, secretary State board of agriculture, Dover.

Florida: Wilmon Newell, plant commissioner, Gainesville.

Georgia: Ira W. Williams, State entomologist, Atlanta; Jeff Chaffin, chief inspector State board of entomology, Atlanta.

Guam: Special agent in charge, Guam Agricultural Experiment Station, island of Guam.

Hawaii: E. M. Ehrhorn, chief division of plant inspection, board of commissioners of agriculture and forestry, Honolulu.

Idaho: M. L. Dean, director bureau of plant industry, Boise.

Illinois: P. A. Glenn, chief plant inspector State department of agriculture, Urbana.

Indiana: Frank N. Wallace, State entomologist, Indianapolis.

Iowa: Carl J. Drake, State entomologist, Ames.

Kansas:

North, J. W. McCulloch, entomologist, Kansas Agricultural Experiment Station, Manhattan.

South, H. B. Hungerford, State entomologist, University of Kansas, Lawrence.

Kentucky: H. Garman, State entomologist, Lexington.

Louisiana: W. E. Anderson, State entomologist, Baton Rouge.

Maine: G. A. Yeaton, State horticulturist, Augusta.

Maryland: E. N. Cory, State entomologist, College Park.

Massachusetts: A. W. Gilbert, commissioner of agriculture, Statehouse, Boston; R. H. Allen, State nursery inspector, Statehouse, Boston.

Michigan: L. R. Taft, chief horticulturist, department of agriculture, Lansing.

Minnesota: A. G. Ruggles, State entomologist, St. Paul.

Mississippi: R. W. Harned, State entomologist, Agricultural College.

Missouri: Leonard Haseman, University of Missouri, Columbia.

Montana: W. L. Shovell, chief division of horticulture, Missoula.

Nebraska: Myron H. Swenk, State entomologist, Lincoln.

Nevada: Edward Records, State quarantine officer, Reno.

New Hampshire: W. C. O'Kane, deputy commissioner, department of agriculture, Durham.

New Jersey: T. J. Headlee, State entomologist, New Brunswick; Harry B. Weiss, chief bureau of statistics and inspection, Trenton.

New Mexico: H. L. Kent, president College of Agriculture and Mechanic Arts, State College.

New York: George G. Atwood, director bureau of plant industry, department of farms and markets, Albany.

North Carolina: Franklin Sherman, chief in entomology, agricultural experiment station and extension service, Raleigh.

North Dakota: R. L. Webster, entomologist, Agricultural College.

Ohio: Richard Faxon, chief division of plant industry, department of agriculture, Columbus.

Oklahoma: Thomas B. Gordon, State entomologist, Oklahoma City.

Oregon: H. E. Dosch, secretary State board of horticulture, Portland.

Pennsylvania: C. H. Hadley, director bureau of plant industry, Harrisburg.

Porto Rico: Commissioner of agriculture and labor, San Juan.

Rhode Island: A. E. Stene, State entomologist, Kingston.

South Carolina: A. F. Conradi, State entomologist, Clemson College.

South Dakota: H. C. Severin, State entomologist, Brookings.

Tennessee: G. M. Bentley, State entomologist, Knoxville.

Texas: R. E. McDonald, chief entomologist and plant pathologist, department of agriculture, Austin.

Utah: Heber J. Webb, State agricultural inspector, Salt Lake City.

Vermont: M. B. Cummings, State nursery inspector, Burlington.

Virginia: W. J. Schoene, State entomologist, Blacksburg.

Washington: C. L. Robinson, supervisor of agriculture, Olympia.

West Virginia: W. E. Rumsey, State entomologist, Morgantown.

Wisconsin: S. B. Fracker, State entomologist, college of agriculture, Madison.

Wyoming: Aven Nelson, secretary State board of horticulture, Laramie.

PLANT QUARANTINE ACT—COMPILED REGULATIONS (T. D. 40134)

TREASURY DEPARTMENT, *April 21, 1924.*

To Collectors and Other Officers of the Customs:

The following compilation of the regulations issued by the Secretary of Agriculture under the plant quarantine act of August 20, 1912, as amended, is published for the information and guidance of customs officers.

(92655–19.) ELIOT WADSWORTH, *Assistant Secretary.*

PLANTS AND PLANT PRODUCTS—DEFINITIONS

For the purpose of the enforcement of the quarantines and regulations promulgated by the Secretary of Agriculture under the plant quarantine act, the following terms shall be construed, respectively, to mean:

T. D. 39634. I. *Nursery stock.*

(*a*) Nursery stock and other plants and seeds: Field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs; also field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots, and other plants and plant products for, or capable of, propagation.

(*b*) Field seeds: Seeds of cereal, forage, and other field crops.

(*c*) Vegetable seeds: Seeds of garden vegetables and other truck crops.

(*d*) Flower seeds: Seeds of annual, biennial, or even perennial flowering plants which are essentially herbaceous, namely, plants which perish annually down to, and sometimes including, the root (that is, soft, succulent plants).

T. D. 39792. II. *Fruits and vegetables.*

Fresh fruits and vegetables: The edible, more or less succulent portions of food plants in the raw or unprocessed state, such as bananas, oranges, grapefruit, pineapples, tomatoes, peppers, lettuce, etc.

T. D. 39645. III. *Cotton.*

For the purpose of these regulations, the term "cotton" shall mean raw or unmanufactured ginned cotton, either baled or unbaled, including all cotton which has not been woven or spun or otherwise manufactured, such as all forms of cotton waste, including thread waste, card strips, willowed fly, willowed picker, picker or blowings, and chum and cotton waste, in any other form or under any other trade designation, and also including secondhand burlap or other fabric which has been used, or is of the kinds ordinarily used, for wrapping cotton.

IV. *Seed cotton.*

Cotton fiber which has not been ginned and from which the seeds have not been removed.

T. D. 39775. V. *Seed or paddy rice.*

Unhusked rice.

VI. *Restrictions on entry—Permits required—Marking.*

Plant quarantine act, Aug. 20, 1912. 1. The Department of Agriculture is authorized to import any plant or plant product into the United States under such safeguards as it may prescribe.

2. Other than as in paragraph 1, the following plants and plant products are forbidden entry into the United States:

T. D. 34261. (*a*) Avocados or alligator pears from Mexico and Central America—(applies to the small, purple, thin-skinned variety and to avocado nursery stock under 18 months of age). (See also par. 3 (*e*).)

(*b*) Avocado or alligator pear seeds from Mexico and Central America. T. D. 34261.

(*c*) Bamboo seeds, plants, and cuttings capable of propagation from all foreign countries. T. D. 37765.

(*d*) Banana plants and all portions thereof except the fruit from all foreign countries. T. D. 37564.

(*e*) Citrus fruits of all species and varieties, except oranges of the mandarin class (including satsuma and tangerine varieties), for which see paragraph 3 (*f*), from eastern and southeastern Asia (including India, Siam, Indo-China, and China), the Malayan Archipelago, the Philippine Islands, Oceania (except Australia, Tasmania, and New Zealand), Japan (including Formosa and other islands adjacent to Japan), and the Union of South Africa. T. D. 37304.

(*f*) Citrus nursery stock, including buds, scions, and seeds, from all foreign countries. T. D. 34993.

(*g*) Cotton seed (including seed cotton) and cottonseed hulls from all foreign countries except the Imperial Valley of Lower California, Mexico. T. D. 33574. T. D. 37129.

(*h*) Five-leafed pines, currant and gooseberry plants, from Europe, Asia, the Dominion of Canada, and Newfoundland. T. D. 33469. T. D. 36246. T. D. 37179.

(*i*) Oranges, sweet limes, grapefruits, mangoes, achras sapotes, peaches, guavas, and plums, from Mexico. T. D. 33110. T. D. 33247.

(*j*) Pines of all kinds from Europe not covered by paragraph 2 (*h*). T. D. 35287.

(*k*) Potatoes from all foreign countries except Bermuda, Cuba, the Dominion of Canada, and from the States of Chihuahua and Sonora, and the Imperial Valley of Lower California, Mexico. (See also par. 3 (*d*).) (Potatoes from any foreign country may be imported into the Territories of Hawaii and Porto Rico without restriction for local use only.) T. D. 32935. T. D. 38695. T. D. 39211.

(*l*) Sugar cane; that is, living canes, cuttings, or parts thereof, from all foreign countries. (There are no restrictions on importations into the Territories of Hawaii and Porto Rico.) T. D. 34567.

(*m*) Sweet potatoes (*Ipomoea batatas*) and yams (*Dioscorea* spp.) from all foreign countries. T. D. 37465.

(*n*) Seed or paddy rice from all foreign countries except Mexico (See also par. 3 (*n*).) T. D. 38105. T. D. 38158. T. D. 39775.

(*o*) The seed and all other portions of Indian corn or maize and of the closely related plants, including all species of teosinte (*Euchlaena*), Job's tears (*Coix*), *Polytoca*, *Chionachne*, and *Sclerachne*, in the raw or unmanufactured state, from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands; except that seed of Indian corn or maize may enter under regulation. (See par. 3 (*k*).) T. D. 36443. T. D. 37060. T. D. 37169.

(*p*) The stalk and all other parts, whether used for packing or other purposes, in the raw or unmanufactured state, of Indian corn or maize, sweet sorghums, grain sorghums, Sudan grass, Johnson grass, sugar cane, including Japanese varieties, pearl millet, napier grass, teosinte, and Job's tears, from all foreign countries except those enumerated in paragraph 2 (*o*). (There are no restrictions on sorghum hay from Canada and clean shelled or threshed grain from any country except Mexico and the countries enumerated in paragraph 3 (*k*).) (For entry of broomcorn and brooms, see par. 3 (*i*).) T. D. 38811. T. D. 39945.

3. Other than as in paragraphs 1 and 2, the following plants and plant products are forbidden entry except in accordance with

rules and regulations prescribed by the Secretary of Agriculture and under permit from the Federal Horticultural Board of the United States Department of Agriculture. These rules and regulations are contained in the Treasury decisions applying to the particular quarantine and other restrictive orders involved:

T. D. 39684. (*a*) Nursery stock, plants, and seeds, other than those covered by special quarantine and other restrictive orders, from all foreign countries; except that, other than those covered by special quarantine and other restrictive orders, plant products capable of propagation imported for medicinal, food, or manufacturing purposes, and field, vegetable, and flower seeds, may be imported with the sole restriction that they must be free from sand, soil, or earth.

T. D. 38405. (*b*) Stocks, cuttings, scions, and buds of fruits from Asia, Japan, Philippine Islands, and Oceania (including Australia and New Zealand.)

T. D. 39792. T. D. 39983 (*c*) Fruits and vegetables, other than those covered by special quarantine and other restrictive orders, from all foreign countries except the Dominion of Canada. (The use of plants or portions of plants as packing material or otherwise in connection with shipments of such fruits and vegetables is prohibited.)

T. D. 38695. T. D. 39211. (*d*) Potatoes from Bermuda, Cuba, the States of Chihuahua and Sonora, and the Imperial Valley of Lower California, Mexico. (Potatoes are admitted without restriction from Canada.)

T. D. 34261. (*e*) Avocado nursery stock over 18 months of age, and the large variety of the fruit of the avocado, known in Mexico as Pagua, from Mexico and Central America.

T. D. 37304. (*f*) Oranges of the mandarin class (including satsuma and tangerine varieties) from eastern and southeastern Asia (including India, Siam, Indo-China, and China), the Malayan Archipelago, the Philippine Islands, Oceania (except Australia, Tasmania, and New Zealand), Japan (including Formosa and other islands adjacent to Japan), and the Union of South Africa.

T. D. 35486. T. D. 39645. (*g*) Cotton and cotton wrappings from all foreign countries.

T. D. 37258. (*h*) Cottonseed products; that is, cottonseed cake, meal, and all other cottonseed products, except oil, from all foreign countries; also cottonseed oil from Mexico.

T. D. 38811. T. D. 39945. (*i*) Broomcorn in the raw or unmanufactured state, even when made up into brooms or similar articles, unless manufactured so as to substantially eliminate stems or such stems are treated so as to preclude carriage of dangerous insects and plant diseases, from all foreign countries.

T. D. 38299. (*j*) Shelled Indian corn or maize from Mexico.

T. D. 36443. T. D. 37060. T. D. 37169. (*k*) Seed of Indian corn or maize, in the raw or unmanufactured state, from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands.

T. D. 38811. T. D. 39945. (*l*) Celery, green beans in the pod, beets with tops, spinach, rhubarb, oat or rye straw as such or when used as packing, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof, without stems, from the Province of Ontario, Canada. (Only requirement is that shipments must be accompanied with inspection certificate from authorities of Canadian Department of Agriculture.)

T. D. 38105. T. D. 38158. (*m*) Wheat, oats, barley, and rye from Australia, India, Japan, Italy, France, Germany, Belgium, Great Britain, Ireland, and Brazil.

T. D. 39775. (*n*) Seed or paddy rice from Mexico.

4. All cars, freight, express, and other shipments, and passengers' baggage entering the United States at ports of entry on the Mexican border (except those originating in and shipped directly from the State of Lower California, Mexico) are subject to examination, in cooperation with the Customs Service, and to such cleaning and disinfection as shall be required by inspectors of the Department of Agriculture. T. D. 37255.

5. *Marks of shipments.*

(*a*) Nursery stock and other plants and seeds for propagation: Each case, box, or other container or covering of nursery stock and other plants and seeds offered for entry shall be plainly and correctly marked to show the number of the permit, the general nature and quantity of the contents, the district or locality where grown, the name and address of the exporter, and the name and address of the consignee. T. D. 39684.

(*b*) Cotton and cotton wrappings: Every bale or other container of cotton offered for entry shall be plainly marked with such bale number and other marks as will distinguish the bales or containers from each other. T. D. 39645.

VII. *Documents required for entry.* T. D. 34261.

The following described papers are to be required with each entry of plants or plant products enterable under permit in accordance with paragraph 3: T. D. 37060. T. D. 37129. T. D. 37258. T. D. 37304. T. D. 38105. T. D. 38299. T. D. 38695. T. D. 38811. T. D. 39645. T. D. 39684. T. D. 39775. T. D. 39792.

(*a*) The original of the importer's permit will be furnished to the collector of customs by the Federal Horticultural Board of the United States Department of Agriculture.

(*b*) The importer will submit to the collector for each entry a notice of arrival. The collector will compare this notice with the invoice, certify to its agreement therewith, noting any discrepancies, and transmit it to the Secretary of Agriculture.

(*c*) In the case of importations intended to be forwarded under an immediate transportation entry, a pro forma invoice may not be accepted unless the same contains a sufficient description of the merchandise to satisfy the representative of the Department of Agriculture. T. D. 38253.

(*d*) In regard to the material specified in paragraphs 3 (*a*), (*b*), (*d*), and (*f*), the original certificate of inspection will be required, and in the case of the material specified in paragraph 3 (*a*), such certificate of inspection must certify that all plant roots, rhizomes, tubers, etc., have been freed by washing or other means from such sand, soil, or earth: *Provided*, That sand, soil, or earth may be employed for the packing of bulbs and corms when it has been sterilized or otherwise safeguarded in accordance with methods prescribed by the Federal Horticultural Board and is so certified by the duly authorized inspector of the country of origin. The use of such sand, soil, or earth as packing for plants other than bulbs and corms is not authorized. T. D. 39684. T. D. 38695. T. D. 37304.

(*e*) In regard to the material specified in paragraph 3 (*h*), a certificate that the articles covered by the permit have, in the process of and subsequent to manufacture, been safeguarded from contamination with raw cotton seed and as shipped are entirely free from contamination with raw cotton seed, will be required. T. D. 37258.

(*f*) In regard to the material specified in paragraph 3 (*a*), a notice of the proposed shipment of the material by the permittee will be required. T. D. 39684.

Blank forms will be furnished by the Department of Agriculture.

VIII. *Release under bond.*

(*a*) If, in the case of material specified in paragraph 3 (*a*), the required permit is not at hand upon arrival of a shipment from a country which maintains inspection, and such shipment meets the requirements of the Sec- T. D. 39684.

VIII. *Release under bond*—Continued.

retary of Agriculture as to certification, marking, freedom from soil, approved packing material, and inspection, it may be delivered to the consignee or his agent under a bond in double the invoice value (but in no case less than $100), conditioned upon the redelivery thereof to the collector within twenty days after the arrival, and that the goods shall not be removed from the port of entry until presentation of a permit from the Department of Agriculture.

T. D. 39645. (*b*) Cotton or cotton wrappings specified in paragraph 3 (*g*) may be delivered to the permittee for disinfection within the limits of the port of entry upon the filing with the collector of a bond in the amount of $5,000 or in an amount equal to the invoice value of the cotton, if such value be less than $5,000, with approved sureties, conditioned upon such disinfection and upon the redelivery of the cotton to the collector of customs within forty days from arrival of the same at the port of entry.

T. D. 34151.
T. D. 36532. IX. *Unclaimed shipments.*

If plants or plant products enterable into the United States under the quarantines and regulations promulgated by the Secretary of Agriculture are unclaimed they may be sold with the consent of the Secretary of Agriculture to any person who can comply with the requirements of the regulations governing the material involved.

Unclaimed plants and plant products not complying with the requirements mentioned herein should be destroyed by burning, under customs supervision.

X. Entry for immediate export or for immediate transportation and exportation in bond—Safeguarding the arrival at a port where entry or landing is not intended—Mail entry.

T. D. 38489. 1. *Immediate export.*—Entry for immediate export of the plants and plant products referred to in paragraph 2 is prohibited except on specific permit from the Secretary of Agriculture and under such conditions and safeguards as will be prescribed in such permit. Unloading of such plants and plant products is prohibited until a permit for entry has been received from the Secretary of Agriculture and until a bond shall have been filed with the collector of customs, with approved sureties, in double the invoice value of the property (the amount in no case to be less than $1,000), conditioned on the export of such property from the port of arrival within a period to be designated by the inspector of the Department of Agriculture in cooperation with the collector of customs.

T. D. 38489. 2. *Immediate transportation and exportation in bond.*—Entry for immediate transportation and exportation in bond of the plants and plant products referred to in paragraphs 2 and 3 is prohibited except on specific permit from the Secretary of Agriculture and under such conditions and safeguards as to routing, etc., as will be prescribed in such permit. Such entry is prohibited altogether of cottonseed, seed cotton, and cottonseed hulls from any foreign country, excepting only the locality of the Imperial Valley in the State of Lower California, Mexico. (Plants and plant products imported for immediate transportation and exportation in bond are subject to the requirements prescribed in paragraph (*d*) as to freedom from sand, soil, or earth. Provision may be made, however, for immediate export of same with earth to the country of destination by available ocean route.)

T. D. 38489. 3. *Safeguarding the arrival at a port where entry or landing is not intended.*—The person in charge of a vessel carrying any of the plants and plant products referred to in paragraphs 2 and 3 must submit to the Secretary of Agriculture, through the collector of customs, a report giving the name of the vessel, the nature and quantity of such plants or plant products, the country

or locality of origin, the date of arrival at and date of sailing from the United States port, and a statement indicating the steps taken to prevent the escape of insects or plant diseases. He shall also be required to permit such inspection and to take such measures as may be prescribed by an inspector of the Department of Agriculture to prevent the landing of any such plants or plant products, or the escape of insects or plant diseases which they may carry. Otherwise, the collector of customs, in cooperation with such inspector, may require the person in charge of such vessel either to destroy the objectionable plants and plant products, or to remove them forthwith from the port and the territorial waters of the United States.

4. *Mail entry.*—The importation of plants and plant products through the mail is forbidden except in accordance with regulations promulgated by the Secretary of Agriculture, as follows: T. D. 39805.

(*a*) Cotton and cotton waste (but not including cottonseed, seed cotton, and cottonseed hulls) may be imported by mail if the wrapper bears the name and address of the ultimate consignee in the lower left-hand corner, and is addressed to the Federal Horticultural Board at Washington, D. C., or at the Ferry Building, San Francisco, Calif.; or, if direct from Mexico, if it is addressed to the Federal Horticultural Board at Laredo, Tex.; at which points it will be inspected and, if necessary, disinfected before being forwarded to the consignee.

(*b*) Material enterable under paragraph 3 (*a*) may be imported by mail if, prior to shipment, a permit has been obtained from the Federal Horticultural Board of the United States Department of Agriculture, and if such material bears a special yellow and green shipping tag furnished by the Federal Horticultural Board, addressing the material to the Federal Horticultural Board either at Washington, D. C., San Francisco, Calif., or Honolulu, T. H., for inspection and, if necessary, disinfection, after which, if found free of insects and diseases and to conform to customs and quarantine regulations, the material will be forwarded to the permittee without additional postage. Customs examinaion of such package will be made at the office where quarantine inspection is performed. T. D. 39684.

XI. *Detention, disposition, and refund of duty.*

1. *Detention.*—Collectors of customs will refuse delivery of all plants or plant products notice of the prohibition of which has been promulgated by the Secretary of Agriculture. Upon the presentation of the entry the collector will notify the importer that the shipment is a prohibited importation, and if the importer shall refuse to export the same immediately, the collector will report the facts to the Secretary of Agriculture and to the United States attorney and withhold the issuance of a permit of delivery until the right to entry has been determined.

In case of doubt as to whether any plants or plant products belong to a prohibited variety, the collector will withhold the same from delivery pending advice from the Department of Agriculture.

2. *Disposition—Refund of duty.*—Plants or plant products which have been imported in violation of the plant quarantine act may be exported or destroyed under customs supervision, and the estimated duties refunded as an excess of deposit.

CONVICTIONS FOR VIOLATIONS OF THE PLANT QUARANTINE ACT

The following convictions for violations of the plant-quarantine act were reported to the board during the period, April 1 to June 30, 1924.

White-pine blister-rust quarantine (No. 26).—In the case of the United States *v.* Kallay Brothers Nursery, Painesville, Ohio, in the interstate shipment of currant plants to a point outside of the quarantined area, the defendant pleaded guilty and was fined $10. (Plant-Quarantine Case No. 221.)

In the case of the United States *v.* Chase Brothers Co., Rochester, N. Y., in the interstate shipment of currant plants to points outside of the quarantined area, the defendant pleaded guilty and was fined $100. (Plant-Quarantine Case No. 129.)

Nursery stock, plant, and seed quarantine.—In the case of the United States *v.* Felix Molina, in the carrying of about 200 resurrection plants from Mexico into the United States, the defendant pleaded guilty and was fined $25.

LIST OF CURRENT QUARANTINE AND OTHER RESTRICTIVE ORDERS

QUARANTINE ORDERS

The numbers asigned to these quarantines indicate merely the chronological order of issuance of both domestic and foreign quarantines in one numerical series. The quarantine numbers missing in this list are quarantines which have either been superseded or revoked. For convenience of reference these quarantines are here classified as domestic and foreign.

DOMESTIC QUARANTINES

Date palms.—Quarantine No. 6: Regulates the interstate movement of date palms and date-palm offshoots from Riverside County, Calif., east of the San Bernardino meridian; Imperial County, Calif.; Yuma, Maricopa, and Pinal Counties, Ariz.; and Webb County, Tex.: on account of the Parlatoria scale (*Parlatoria blanchardi*) and the Phoenicococcus scale (*Phoenicococcus marlatti*).

Hawaiian fruits and vegetables.—Quarantine No. 13, revised: Prohibits or regulates the importation from Hawaii of all fruits and vegetables, in the natural or raw state, on account of the Mediterranean fruit fly (*Ceratitis capitata*) and the melon fly (*Dacus cucurbitae*).

Sugar cane.—Quarantine No. 16: Prohibits the importation from Hawaii and Porto Rico of living canes of sugar cane, or cuttings or parts thereof, on account of certain injurious insects and fungous diseases.

Five-leafed pines, Ribes, and Grossularia.—Quarantine No. 26, as amended: Prohibits the interstate movement of five-leafed pines, currant, and gooseberry plants from all States east of and including the States of Minnesota, Iowa, Missouri, Arkansas, and Louisiana to points outside of this area; prohibits further (1) the interstate movement of five-leafed pines and black-currant plants to points outside the area comprising the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York, and (2) to protect the State of New York, the movement from the New England States, on account of the white-pine blister rust (*Peridermium strobi*).

Sweet potato and yam.—Quarantine No. 30: Prohibits the movement from the Territories of Hawaii and Porto Rico into or through any other Territory, State, or District of the United States of all varieties of sweet potatoes and yams (*Ipomoea batatas* and *Dioscorea* spp.), regardless of the use for which the same are intended, on account of the sweet-potato weevil (*Cylas formicarius*) and the sweet-potato scarabee (*Euscepes batatae*).

Banana plants.—Quarantine No. 32: Prohibits the movement from the Territories of Hawaii and Porto Rico into or through any other Territory, State, or District of the United States of any species or variety of banana plants (*Musa* spp.), regardless of the use for which the same are intended, on account of two injurious weevils, *Rhabdocnemis obscurus* and *Metamasius hemipterus*.

Black stem rust.—Quarantine No. 38, as amended: Prohibits the movement interstate to any point outside of the quarantined area of the common barberry and its horticultural varieties as well as certain other species of Berberis and Mahonia, on account of the black-stem rust of wheat, oats, barley, rye, and many wild and cultivated grasses.

European corn borer.—Quarantine No. 43 (third revision): Regulates the movement interstate to any point outside of the quarantined area of (1) corn and broomcorn (including all parts of the stalk), all sorghums, sudan grass, celery, green beans in the pod, beets with tops, rhubarb, oat and rye straw as such or when used as packing, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof, without stems, from infested areas in

Maine, New Hampshire, Massachusetts, and Rhode Island, and (2) corn and broom corn (including all parts of the stalk), all sorghums, and sudan grass from infested areas in Vermont, New York, Pennsylvania, Ohio, and Michigan on account of the European corn borer (*Pyrausta nubilalis*).

Gipsy moth and brown-tail moth.—Quarantine No. 45, as amended: Regulates the movement interstate to any point outside of the quarantined towns and territory, or from points in the generally infested area to points in the lightly infested area, of stone or quarry products, and of the plants and the plant products listed therein. The quarantine covers all the New England States.

Hawaiian and Porto Rican cotton, cottonseed, and cottonseed products.—Quarantine No. 47: Regulates the movement of cotton, cottonseed, and cottonseed products from Hawaii and Porto Rico on account of the pink bollworm (*Pectinophora gossypiella*) and the cotton blister mite (*Eriophyes gossypii*), respectively.

Japanese beetle.—Quarantine No. 48, revised: Regulates the movement interstate to any point outside of certain portions of the counties of Mercer, Monmouth, Ocean, Burlington, Atlantic, Cape May, Salem, Gloucester, and Camden, N. J., certain portions of the counties of Delaware, Chester, Philadelphia, Montgomery, and Bucks, Pa., and certain portions of the county of New Castle, Del., of (1) certain fruits, vegetables, and other farm products between June 15 and October 15, inclusive, and (2) nursery stock, sand, soil, earth, peat, compost, and manure throughout the year, on account of the Japanese beetle (*Popillia japonica*).

United States quarantined to protect Hawaii.—Quarantine No. 51: Regulates the movement from the United States to the Territory of Hawaii, as ships' stores or as baggage or effects of passengers or crews, of sugar cane, corn, cotton, alfalfa, and the fruits of the avocado and papaya.

Pink bollworm.—Quarantine No. 52 (second revision), as amended: Prohibits the interstate movement from the regulated areas of Texas, Louisiana, and New Mexico of cotton, including all parts of the plant, seed cotton, cotton lint, linters, gin waste and all other forms of cotton lint, cotton seed, cottonseed hulls, cottonseed cake and meal, bagging and other containers of the articles enumerated, and also railway cars, boats, and other vehicles which have been used in conveying cotton and cotton products grown in such regulated areas or which are fouled with such products, farm products other than hay, farm household goods, and farm equipment, except as provided in the rules and regulations supplemental thereto, on account of the pink bollworm of cotton (*Pectinophora gossypiella* Saunders).

Satin moth.—Quarantine No. 53, as amended: Prohibits the interstate movement to points outside of the infested areas in New Hampshire and Massachusetts of all species or varieties of poplar and willow, on account of the satin moth (*Stilpnotia salicis* L.).

White-pine blister rust.—Quarantine No. 54, as amended: Prohibits the movement from the State of Washington of five-leafed pines, currant and gooseberry plants, on account of the white-pine blister rust (*Peridermium strobi*).

FOREIGN QUARANTINES

Irish potatoes.—Quarantine No. 3: Prohibits the importation of the common or Irish potato from Newfoundland; the islands of St. Pierre and Miquelon; Great Britain, including England, Scotland, Wales, and Ireland; Germany; and Austria-Hungary, on account of the disease known as potato wart (*Synchytrium endobioticum*).

Mexican fruits.—Quarantine No. 5, as amended: Prohibits the importation of oranges, sweet limes, grapefruit, mangoes, achras sapotes, peaches, guavas, and plums from the Republic of Mexico, on account of the Mexican fruit fly (*Trypeta ludens*).

Five-leafed pines, Ribes, and Grossularia.—Quarantine No. 7, as amended: Phohibits the importation from each and every country of Europe and Asia, and from the Dominion of Canada and Newfoundland, of all five-leafed pines and all species and varieties of the genera *Ribes* and *Grossularia*, on account of the white-pine blister rust (*Peridermium strobi*).

Cottonseed and cottonseed hulls.—Quarantine No. 8, as amended: Prohibits the importation from any foreign locality and country, excepting only the locality of the Imperial Valley, in the State of Lower California, Mexico, of cottonseed (including seed cotton) of all species and varieties, and cottonseed hulls, on account of the pink bollworm (*Pectinophora gossypiella*). Cotton

and cottonseed from the Imperial Valley may be entered under permit and regulation.

Seeds of avocado or alligator pear.—Quarantine No. 12: Prohibits the importation from Mexico and the countries of Central America of the seeds of the avocado or alligator pear on account of the avocado weevil (*Heilipus lauri*).

Sugar cane.—Quarantine No. 15: Prohibits the importation from all foreign countries of living canes of sugar cane, or cuttings or parts thereof, on account of certain injurious insects and fungous diseases. There are no Federal restrictions on the entry of such materials into Hawaii and Porto Rico.

Citrus nursery stock.—Quarantine No. 19: Prohibits the importation from all foreign localities and countries of all citrus nursery stock, including buds, scions, and seeds, on account of the citrus canker and other dangerous citrus diseases. The term "citrus," as used in this quarantine, includes all plants belonging to the subfamily or tribe *Citratae*.

European pines.—Quarantine No. 20: Prohibits, on account of the European pine-shoot moth (*Evetria buoliana*), the importation from all European countries and localities of all pines not already excluded by Quarantine No. 7.

Indian corn or maize and related plants.—Quarantine No. 24, as amended: Prohibits the importation from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands, in the raw or unmanufactured state, of seed and all other portions of Indian corn or maize (*Zea mays* L.), and the closely related plants, including all species of Teosinte (*Euchlaena*), Job's tears (*Coix*), *Polytoca*, *Chionachne*, and *Sclerachne*, on account of the downy mildews and *Physoderma* diseases of Indian corn, except that Indian corn or maize may be imported under permit and upon compliance with the conditions prescribed in the regulations of the Secretary of Agriculture.

Citrus fruit.—Quarantine No. 28: Prohibits the importation from eastern and southeastern Asia (including India, Siam, Indo-China, and China), the Malayan Archipelago, the Philippine Islands, Oceania (except Australia, Tasmania, and New Zealand), Japan (including Formosa and other islands adjacent to Japan), and the Union of South Africa, of all species and varieties of citrus fruits, on account of the citrus canker, except that oranges of the mandarin class (including satsuma and tangerine varieties) may be imported under permit and upon compliance with the conditions prescribed in the regulations of the Secretary of Agriculture.

Sweet potato and yam.—Quarantine No. 29: Prohibits the importation for any purpose of any variety of sweet potatoes or yams (*Ipomoea batatas* and *Dioscorea* spp.) from all foreign countries and localities, on account of the sweet-potato weevils (*Cylas* spp.) and the sweet-potato scarabee (*Euscepes batatae*).

Banana plants.—Quarantine No. 31: Prohibits the importation for any purpose of any species or variety of banana plants (*Musa* spp.), or portions thereof, from all foreign countries and localities, on account of the banana-root borer (*Cosmopolites sordidus*). This quarantine places no restrictions on the importation of the fruit of the banana.

Bamboo.—Quarantine No. 34: Prohibits the importation for any purpose of any variety of bamboo seed, plants, or cuttings thereof capable of propagation, including all genera and species of the tribe *Bambuseae*, from all foreign countries and localities, on account of dangerous plant diseases, including the bamboo smut (*Ustilago shiraiana*). This quarantine order does not apply to bamboo timber consisting of the mature dried culms or canes which are imported for fishing rods, furniture making, or other purposes, or to any kind of article manufactured from bamboo, or to bamboo shoots cooked or otherwise preserved.

Nursery stock, plants, and seeds.—Quarantine No. 37, with regulations, revised: Prohibits the importation of nursery stock and other plants and seeds from all foreign countries and localities on account of certain injurious insects and fungous diseases, except as provided in the regulations. Under this quarantine the following plants and plant products may be imported without restriction: Fruits, vegetables, cereals, and other plant products imported for medicinal, food, or manufacturing purposes, and field, vegetable, and flower seeds. The entry of the following nursery stock and other plants and seeds is permitted under permit:

(1) Bulbs of the following genera: Lilium (lily), Convallaria (lily of the valley), Hyacinthus (hyacinth), Tulipa (tulip), and Crocus; and, for a period

not exceeding three years from January 1, 1923, Chionodoxa (glory-of-the-snow), Galanthus (snowdrop), Scilla (squill), *Fritillaria imperialis* (crown imperial), *Fritillaria meleagris* (guineahen flower), Muscari (grape hyacinth), Ixia, Eranthis (winter aconite), and Narcissus (jonquil, daffodil, etc.).

(2) Stocks, cuttings, scions, and buds of fruits for propagation.

(3) Rose stocks for propagation, including Manetti, Multiflora, Brier Rose, and Rosa Rugosa.

(4) Nuts, including palm seeds for propagation.

(5) Seeds of fruit, forest, ornamental, and shade trees, seeds of deciduous and evergreen ornamental shrubs, and seeds of hardy perennial plants.

Provision is also made for the issuance of special permits under safeguards to be prescribed in such permits for the entry in limited quantities of nursery stock and other plants and seeds not covered in the preceding lists for the purpose of keeping the country supplied with new varieties and necessary propagating stock.

Flag smut and take-all.—Quarantine No. 39, with regulations: Prohibits the importation of seed or paddy rice from Australia, India, Japan, Italy, France, Germany, Belgium, Great Britain, Ireland, and Brazil on account of two dangerous plant diseases known as flag smut (*Urocystis tritici*) and take-all (*Ophiobolus graminis*). Wheat, oats, barley, and rye may be imported from the countries named only under permit and upon compliance with the conditions prescribed in the regulations of the Secretary of Agriculture.

European corn borer.—Quarantine No. 41, with regulations, revised, as amended: Prohibits the importation (1) from all foreign countries and localities of the stalk and all other parts, whether used for packing or other purposes, in the raw or unmanufactured state, of Indian corn or maize, broomcorn, sweet sorghums, grain sorghums, Sudan grass, Johnson grass, sugar cane, pearl millet, napier grass, teosinte, and Job's-tears, and (2) from the Province of Ontario, Canada, of celery, green beans in the pod, beets with tops, spinach, rhubarb, oat or rye straw as such or when used as packing, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof, without stems, except as provided in the rules and regulations supplemental thereto, on account of the European corn borer (*Pyrausta nubilalis*) and other dangerous insects and plant diseases.

Mexican corn.—Quarantine No. 42, with regulations: Prohibits the importation of Indian corn or maize from Mexico, except as provided in the rules and regulations supplemental thereto, on account of the contamination of such corn with cottonseed more or less infested with the pink bollworm (*Pectinophora gossypiella*).

Stocks, cuttings, scions, and buds of fruits.—Quarantine No. 44: Prohibits the importation of stocks, cuttings, scions, and buds of fruits from Asia, Japan, Philippine Islands, and Oceania (including Australia and New Zealand) on account of dangerous plant diseases, including Japanese apple cankers, blister blight, and rusts, and injurious insect pests, including the oriental fruit moth, the pear fruit borer, the apple moth, etc.: *Provided*, That special permits may be issued by the Secretary of Agriculture for limited quantities, and under safeguards to be prescribed in such permits, of stocks, cuttings, scions, and buds of fruits from the countries and localities named for the purpose of keeping the country supplied with new varieties and necessary propagating stock.

Seed or paddy rice.—Quarantine No. 55: Prohibits the importation of seed or paddy rice from all foreign countries and localities, on account of injurious fungous diseases of rice, including downy mildew (*Sclerospora macrocarpa*), leaf-smut (*Entyloma oryzae*), blight (*Oospora oryztorum*), and glume blotch (*Melanomma glumarum*), as well as dangerous insect pests, except that such seed or paddy rice may be imported from the Republic of Mexico upon compliance with the conditions prescribed in the rules and regulations supplemental thereto. This quarantine is supplemental to Quarantine No. 39.

Fruits and vegetables.—Quarantine No. 56, as amended: Prohibits the importation of fruits and vegetables not already the subject of special quarantines or other restrictive orders, and of plants or portions of plants used as packing material in connection with shipments of such fruits and vegetables, from all foreign countries and localities other than the Dominion of Canada, except as provided in the rules and regulations supplemental thereto, on account of injurious insects, including fruit and melon flies (*Trypetidae*). Includes and supersedes Quarantine No. 49 on account of the citrus black fly.

Canadian Christmas trees and greens.—Quarantine No. 57, with regulations: Prohibits the importation of Christmas trees and greens from a designated por-

tion of the Province of Quebec, Dominion of Canada, bordering on Vermont and northeastern New York, except as provided in the conditions and regulations supplemental thereto, on account of the gipsy moth (*Porthetria dispar*).

OTHER RESTRICTIVE ORDERS

The regulation of the entry of nursery stock from foreign countries into the United States was specifically provided for in the plant quarantine act. The act further provides for the similar regulation of any other class of plants or plant products when the need therefor shall be determined. The entry of the plants and plant products listed below has been brought under such regulation:

Nursery stock.—The conditions governing the entry of nursery stock and other plants and seeds from all foreign countries and localities are indicated above under "Foreign quarantines." (See Quarantine No. 37, revised.)

Potatoes.—The importation of potatoes is prohibited altogether from the countries enumerated in the potato quarantine. Potatoes may be admitted from other foreign countries under permit and in accordance with the provisions of the regulations issued under order of December 22, 1913, bringing the entry of potatoes under restriction on account of injurious potato diseases and insect pests. Importation of potatoes is now authorized from the following countries: The Dominion of Canada, Bermuda, and Cuba; also from the States of Chihuahua and Sonora and the Imperial Valley of Lower California, Mexico. The regulations issued under this order have been amended so as to permit, free of any restrictions whatsoever under the plant quarantine act, the importation of potatoes from any foreign country into the Territories of Porto Rico and Hawaii for local use only and from the Dominion of Canada into the United States or any of its Territories or Districts.

Avocado, or alligator pear.—The order of February 27, 1914, prohibits the importation from Mexico and the countries of Central America of the fruits of the avocado, or alligator pear, except under permit and in accordance with the other provisions of the regulations issued under said order, on account of the avocado weevil. Entry is permitted through the port of New York only and is limited to the large, thick-skinned variety of the avocado. The importation of the small, purple, thin-skinned variety of the fruit of the avocado and of avocado nursery stock under 18 months of age is prohibited.

Cotton.—The order of April 27, 1915, prohibits the importation of cotton from all foreign countries and localities, except under permit and in accordance with the other provisions of the regulations issued under said order, on account of injurious insects, including the pink bollworm. These regulations apply in part to cotton grown in and imported from the Imperial Valley, in the State of Lower California, Mexico.

Cottonseed products.—The order of June 23, 1917, prohibits the importation of cottonseed cake, meal, and all other cottonseed products, except oil, from all foreign countries, and a second order of June 23, 1917, prohibits the importation of cottonseed oil from Mexico, except under permit and in accordance with the other provisions of the regulations issued under said orders, on account of injurious insects, including the pink bollworm.

MISCELLANEOUS REGULATIONS

Rules and regulations governing (1) entry for immediate export, (2) entry for immediate transportation and exportation in bond, and (3) safeguarding the arrival at a port where entry or landing is not intended of prohibited plants and plant products.—These rules and regulations, as revised August 1, 1920, govern the unloading and transfer of cargoes and transportation in bond when it is determined that such entry can be made without involving risk to the plant cultures of the United States, and also provide for the safeguarding at a port or within the territorial waters of the United States where entry or landing is not intended of any prohibited or restricted plants and plant products.

Rules and regulations governing the movement of plants and plant products into and out of the District of Columbia.—These rules and regulations were promulgated August 26, 1920, under the amendment to the plant quarantine act of May 31 of that year. They provide for the regulation of the movement of plants and plant products, including nursery stock, from or into the District of Columbia and for the control of injurious plant diseases and insect pests within the said District.

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tion of the Provinces of Quebec, Ontario or Prince Edward Island, Portland in Maine, or and northeastern New York, except as provided in the conditions and regulations supplemental thereto, on account of the plant, fruit or vegetable shipped.

OTHER RESTRICTIVE ORDERS

The importation of the entry of nursery stock from foreign countries into the United States was specifically provided for in the plant quarantine act. The nursery stock prohibited for the similar importation of any other class of plants or plant products when the conditions shall be determined. The entry of the plants and plant products listed below has been brought under such regulations:

Nursery stock.—The conditions governing the entry of nursery stock and other plants and seeds from all foreign countries and localities are indicated above under "Foreign quarantines" (See Quarantine No. 81, revised).

Potatoes.—The importation of potatoes is prohibited directly from the countries enumerated in the plants quarantine. Potatoes may be imported from other foreign countries under permit issued in accordance with the provisions of the regulations issued under order of December 22, 1919, including the entry of potatoes under restriction on account of injurious potato diseases and insect pests. Importation of potatoes is now authorized from the following countries: The Dominion of Canada, Bermuda, and Cuba; also from the States of Colorado and Oregon and the Imperial Valley of Lower California, Mexico. The regulations issued under this order have been amended as to permit, free of any restrictions whatsoever under the plant quarantine act, the importation of potatoes from foreign country into the Territories of Porto Rico and Hawaii for local use only and from the Dominion of Canada into the United States or any of its Territories or Districts.

Avocados, or alligator pears.—The order of February 27, 1924, prohibits the importation from Mexico and the countries of Central America of the fruits of the avocado, or alligator pear, except under permit and in accordance with the other provisions of the regulations issued under order, [illegible] the importation of avocados from Cuba only is permitted. The pears in Mexico [illegible] and is limited to the Lerdo, Rich selected varieties of the avocado. The importation of the small purple, thin-skinned varieties of the fruit of [illegible] and of avocados nursery stock under 18 months of age is prohibited.

Citrus.—The order of June 29, 1926, prohibits the importation [illegible] from all foreign countries and localities except under permit [illegible] in accordance with the other provisions of the regulations issued under such [illegible] of citrus fruits, including the pink pollinoma. These regulations [illegible] part in cotton grown in and imported from the Imperial Valley [illegible] of California.

Tobacco products.—The order of June 23, 1927, prohibits the importation of unstemmed cigar, leaf and all other unstemmed products except [illegible] from all foreign countries and a second order of June 23, 1927, prohibits the importation of unstemmed cigar from Mexico except under permit and in accordance with the other provisions of the regulations issued under such order, in addition of tobacco insects, including the pink bollworm.

MISCELLANEOUS REGULATIONS

Rules and regulations governing (1) entry for importation, (2) [illegible] for immediate transportation and exportation in bond, and (3) entry [illegible] and of and entry entry or delivery in or intended of unstamped [illegible] other plant products.—These rules and regulations, as revised, August 1, 1929, covers the unlading and transfer of cargoes and transportation in bond when it is determined that such entry may be made without injury to the revenue or plant quarantine of the United States, and also provide for the unlading [illegible] port or within the territorial waters of the United States when entry or [illegible] is not intended or any prohibited or restricted plants and plant products.

Rules and regulations governing the importation of plants and plant products [illegible] and of the District of Columbia.—These rules and regulations were promulgated August 1, 1929, under the amendment to the plant quarantine act of May 31 of that year. They provide for the regulation of the movement of plants and plant products, including nursery stock, from or into the District of Columbia and for the control of injurious plant diseases and insect pests within the only District.